

**JOURNALS**  
**OF THE**  
**SENATE**  
**OF**  
**ALABAMA**  
**ORGANIZATIONAL, SPECIAL AND**  
**REGULAR SESSIONS, 1951**  
**HELD IN THE CITY OF MONTGOMERY**



**Vol. II**

**WITH AN INDEX PREPARED BY THE**  
**SECRETARY OF THE SENATE**

**Brown Printing Co.**  
**Printers—Binders**  
**Montgomery, Alabama**





**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF ALABAMA**  
**REGULAR SESSION 1951**

TWENTY-SECOND LEGISLATIVE DAY

TUESDAY, JULY 24, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

PRAYER

The Session was opened with prayer by Mr. Owen Freeman, Minister, Church of Christ, Fort Payne, Alabama.

ROLL CALL

Present:

Messrs.:	Farmer	Locke (Choctaw)	Robison
Andrews	Faulkner	Locke (Perry)	Skidmore
Benson	Foster	McCary	Smith
Bonner	Golson	Norrell	Sollie
Boutwell	High	Phillips	Thagard
Byars	Hollis	Pinson	Todd
Clayton	Johnson (Chambers)	Quarles	Whately
Eddins	Johnston (Mobile)	Reneau	Wright
Fant	Jones	Richardson	

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JOURNAL

On motion of Mr. Foster, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Farmer, leave of absence was granted Mr. Larkins for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your standing Committee on Enrolled Bills, begs leave to report that said committee, in session, has compared the following enrolled bills and resolution with the engrossed and original bills and resolution and finds same correctly enrolled, to-wit:

S. 10. To provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not more than 400,000 inhabitants according to the last or any succeeding Federal Census; to provide for the claiming of statutory exemptions on such property; and to provide penalties for failure to comply with the provision of this Act.

Also:

S. 46. To amend Section 305 of Title 55 of the Code of Alabama, 1940.

Also:

S. 74. To amend Section 543 of Title 37 of the Code of Alabama, 1940, which relates to the continuance of liens of municipalities for public improvement assessments.

Also:

S. 80. To provide that all money or funds received or collected by the Department of Examiners of Public Accounts in the form of fees, receipts, or income, as a result of services rendered in connection with municipal audits, or otherwise, be covered by said department into the Treasury of the State of Alabama to the credit of the General Fund of the State; that no law, local, special, or general, be repealed hereby, and to provide for the effective date of said Act.

Also:

S. 97. To amend Section 6 of Act No. 694 of the Legislature of Alabama of 1947 entitled "An Act to provide for the arrest and eradication of contagious and infectious diseases among animals; to authorize quarantine measures and the seizure and disposition of infected or exposed animals, and all infected real and personal property; to provide for the payment of indemnity to owners of seized animals or property; to authorize rules and regulations having the full force and effect of law; to provide for a penalty for violation hereof; and to provide an appropriation herefor", approved October 9, 1947; to provide a method of appointing the State Veterinarian; to provide for certain qualifications of the State Veterinarian; to provide for the payment of the salary of the State Veterinarian and to repeal all laws or parts of laws in conflict with this Act.

Also:

S. 98. To require each county governing body to pay the cost of advertising all local bills introduced in the legislature by members from the county; and requiring any municipality or municipalities within the county to reimburse the county for the cost of advertising bills affecting such municipality or municipalities exclusively.

Also:

S. 107. Relating to the revocation of wills; and repealing Section 9 of Title 61 of the Code of Alabama (1940).

Also:

S. 110. To authorize wholesale merchants to form non-profit associations, co-operatives or corporations; and prescribing the procedure therefor and the powers and privileges of such organizations.

Also:

S. 128. To amend Sections 2, 18, 22, 23, 24, 25, 37, 40, 95, 104 and 105, of Title 10 of the Code of Alabama of 1940 and to repeal Section 36 of Title 10 of the Code of Alabama of 1940.

Also:

S. 152. To Amend Section 406, Title 37, Code of 1940 Relating To Certain Officers in Cities of Less Than Six Thousand Inhabitants.

Also:

S. 156. To provide a penalty for giving a false statement in purchasing hunting, fishing, seafood or fur-bearing animal licenses. To further provide a penalty for changing or altering such licenses. To provide a penalty for the lending, borrowing, selling, buying, renting or using the license of another.

Also:

S. 168. Proposing an amendment to the Constitution of Alabama with respect to appointments and promotions in the Civil Service of the State, and ordering an election thereon.

Also:

S. 256. To provide for the transfer of any surplus over and above \$1,500,000.00 in the State Treasury to the credit of the General Fund after the payment of all appropriations now or hereafter made payable from said funds for each of the fiscal years ending September 30, 1951, and September 30, 1953, to the Alabama State Building Commission to be used as a part of the Building Commission Fund.

Also:

S. 276. To amend Title 51, Section 779, Code of Alabama 1940, which relates to contents of returns not to be made public and to provide for the effective date of this Act.

Also:

S. 288. To relieve the executor or other personal representative of a decedent of the duty to recover from anyone for the benefit of the estate the pro rata portion of the estate tax attributable to inclusion in the gross estate of any property, including proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor or other personal representative, which does not pass to the executor or other personal representative as a part of the estate, unless the decedent directs otherwise in his will.

Also:

S. J. R. 40. Relative to: Naming Senate Bill No. 97.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Richardson:

S. B. 484. To propose an amendment to the Constitution of Alabama relating to Lawrence County authorizing the creation of special school districts in said County, special school district taxes, the construction,

improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Richardson:

S. B. 485. To impose extra, new, and additional duties upon the Superintendent of Education of Lawrence County, Alabama, and to provide additional compensation for the performance of such duties.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA  
COUNTY OF LAWRENCE**

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

To impose extra, new, and additional duties upon the Superintendent of Education of Lawrence County, Alabama, and to provide additional compensation for the performance of such duties.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. In addition to the duties now imposed upon him by law, the Superintendent of Education of Lawrence County, Alabama, shall perform the following extra, new, and additional duties:

(a) He shall begin immediately to administer the Veterans' Training Program in Lawrence County, Alabama.

(b) He shall begin immediately to administer and direct the school lunch program in Lawrence County, Alabama.

(c) He shall, at the direction of the Board of Education of Lawrence County, Alabama, attend all educational functions and meetings within and without Lawrence County, Alabama, which, in the judgment of said board, are designed to advance and promote the program of education in Lawrence County, or will train and better qualify him to administer and perform the duties of his office.

Section 2. For the performance of the extra, new, and additional duties hereby imposed upon him, the Superintendent of Education of Lawrence County shall receive the sum of six hundred dollars (\$600.00) per annum, which sum shall be in addition to any and all other compensation now allowed him under the provisions of any other law, whether general or local.

Section 3. All laws and parts of laws, general, special, or local, in conflict herewith are repealed.

Section 4. This Act shall become effective on the first day of the month following its passage and approval by the Governor, or its otherwise becoming a law.

**J. B. RICHARDSON.**

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1951.

ARTHUR F. SLATON.

Sworn to and subscribed before me 7/23, 1951.

J. L. WEATHERWAX,  
Title: Notary Public.

By Mr. High:

S. B. 486. Relating to St. Clair County; repealing an Act approved November 3, 1932 (Act No. 202, H. 416) entitled "An Act To provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to St. Clair County; repealing an Act approved November 3, 1932 (Act No. 202, H. 416) entitled "An Act To provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties." BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

The Act approved November 3, 1932 (Act No. 202, H. 416) entitled "An Act To provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties," is hereby expressly repealed.

so. aegis June 22-29—July 6-13.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice

was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1951.

E. R. BLAIR.

Sworn to and subscribed before me July 17th, 1951.

ETHEL BLAIR,  
Title: Notary Public.

By Mr. Reneau:

S. B. 487. Relating to the Court of Common Pleas of Elmore County; amending Sections 5, 8, 9, and 17 of the Act approved June 2, 1943 (No. 90, H. 374, Local Acts, 1943, p. 47) which created and established the Court of Common Pleas of Elmore County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF ELMORE

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to the Court of Common Pleas of Elmore County; amending Sections 5, 8, 9, and 17 of the Act approved June 2, 1943 (No. 90, H. 374, Local Acts, 1943, p. 47) which created and established the Court of Common Pleas of Elmore County. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 5, 8, 9, and 17 of Act No. 90, H. 374, approved June 2, 1943 (Local Acts, 1943, p. 47), which Act created and established the Court of Common Pleas of Elmore County, are hereby amended to read as follows:

"Section 5. The judge of the Court of Common Pleas of Elmore County shall receive a salary of three thousand dollars (\$3,000) per annum, payable in equal monthly installments out of the general fund of the county, upon the warrant of the Probate Judge of Elmore County, which he is hereby authorized and directed to issue monthly. Such warrants shall be preferred claims against the general fund of Elmore County.

"Section 8. The deputy solicitor for Elmore County shall prosecute for the State all criminal cases in said court created by this Act. His entire compensation shall be a salary of two thousand four hundred dollars (\$2,400) per annum, to be paid out of the general fund of the county in equal monthly installments on the warrant of the probate judge. Such warrants shall be preferred claims against the general fund of Elmore County.

"Section 9. There shall be a Tallassee Division and a Wetumpka Division of the said court, and the said Tallassee Division shall include and be composed of the following beats or precincts in Elmore County, viz: Precinct 1, precinct 2, precinct 3, precinct 4, precinct 13 and precinct 19; and the said Wetumpka Division shall include and be composed of

the following precincts in Elmore County, viz: Precinct 5, precinct 6, precinct 7, precinct 8, precinct 9, precinct 10, precinct 11, precinct 12, precinct 14, precinct 15, precinct 16, precinct 17 and precinct 18. The sessions of the said court of the said Tallassee Division shall be held at some place in the Town of Tallassee or in the police jurisdiction thereof, and the sessions of the said court of the said Wetumpka Division shall be held at the Court House in the Town of Wetumpka. The said court, at the discretion of the Judge shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of said court. Provided, further, that on the first and third Mondays of each month there shall be held a session of said court for the handling, trial and disposition of all cases therein pending, in the Wetumpka Division of Elmore County, Alabama, which shall continue as long as necessary to dispose of the docket; and that on the second and fourth Mondays of each month there shall be held a session of said court for the handling, trial and disposition of all cases therein pending in the Tallassee Division of Elmore County, Alabama, which shall continue as long as necessary to dispose of the docket. But any session of said court in either of said divisions may be dispensed with, and continued, by the Judge, when, in the opinion and judgment of the Judge, the public good or public necessity requires the continuance of the same. Provided, further, that as to all civil and criminal actions of which the said court shall have jurisdiction, the venue of the acts shall be determined as if the two divisions of the county hereinabove provided for, each constituted a separate county, except that after any actions instituted in either division of the court, the Judge of the court shall have the power and authority to order the transfer or removal of any such action to the other division of the court for trial. All suits and actions on contract or in tort except as otherwise provided in this act must be brought in the division in which the defendant or one of them resides or in which the debt was created or cause of action arose.

"Section 17. In all civil actions in this court, the pleadings and process and the time for filing pleadings shall conform to and be governed by the statute and rules obtaining in the Circuit Court of Elmore County, Alabama, except that the issuance, levy and collection of executions from this Court shall be controlled by the laws now applicable to justice courts of this State, and the defendant shall have only ten days in which to plead, answer, or demur to a complaint filed against him."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

28June 4t.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the

issues of said paper on June 28th, July 5th, July 12th, and July 19th, all in the year 1951.

W. H. GOLSON.

Sworn to and subscribed before me July 23, 1951.

C. T. RENEAU,  
Title: Notary Public.

By Mr. Sollie:

S. B. 488. To provide that any bank or trust company and any national banking association, and any branch or branches of any of them transacting business in this State may close on any one business day of each week, even though a legal holiday shall also occur in any such week, and to provide that any day which such institution may elect to close shall, with respect to such institution, be deemed a holiday for all purposes and not a business day, and that all acts omitted or done by such bank or trust company and/or national banking association and/or branches of any of them on such day shall have the same effect as if omitted or done on the next succeeding business day, and that any act authorized, required or permitted to be performed at or with respect to any such Bank or trust company and/or national banking association or any branch or branches of any of them on the day so fixed may be performed on the next succeeding business day and no liability or loss of rights of any kind shall result from such delay to any person, or to any bank, trust company, national banking association, or any branch or branches of any of them.

Committee on Banking.

By Mr. Sollie:

S. B. 489. To amend Section 184 of Title 39 of the Code of Alabama (1940) which relates to legal holidays, and the due dates of commercial paper, and the time of doing of acts with respect to commercial paper.

Committee on Banking.

By Mr. Sollie:

S. B. 490. To amend Section 86 of Title 39 of the Code of Alabama (1940) which relates to presentment of negotiable paper and to the payment, certification or acceptance thereof.

Committee on Banking.

By Mr. Andrews:

S. B. 491. Relating to city treasurers; amending Section 446, Title 37, Code of Alabama (1940).

Committee on Municipalities and Municipal Organizations.

By Mr. Clayton:

S. B. 492. To abolish the fund in the State Treasury known as the Governor's Contingent Fund and to repeal Section 179, Title 55, Code of Alabama 1940, which relates to the Governor's Contingent Fund.

Committee on Finance and Taxation.

By Mr. Clayton:

S. B. 493. Relating to license inspectors and their duties; amending Section 835, Title 51, Code of Alabama (1940).

Committee on Finance and Taxation.

By Mr. Clayton:

S. B. 494. To amend Section 714, Title 51, Code of Alabama 1940, which relates to the fees of probate judges for issuing licenses for operating motor vehicles.

Committee on Finance and Taxation.



By Mr. Clayton:

S. B. 495. To create a fund in the State Treasury to be known as the Mansion Fund; to define the purposes for which said fund may be used and the manner of making withdrawals therefrom; to provide for the appropriation thereto; to repeal all laws in conflict herewith; and to provide the effective date of this Act.

Committee on Finance and Taxation.

By Messrs. Johnston (Mobile) and Skidmore:

S. B. 496. Relating to the administration of pardons, paroles, and the remission of fines and forfeitures; amending Chapter 1, Title 42, Code of Alabama (1940).

Committee on Judiciary.

By Mr. Johnston (Mobile):

S. B. 497. To authorize the Governor, the Director of the Department of Industrial Relations, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State upon which it shall, at a cost not to exceed three million, two hundred fifty thousand dollars, construct, operate, and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to any department, board, bureau, commission, or agency of the State; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by departments, boards, bureaus, commissions, and agencies of the State of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities; and to repeal Act No. 146, approved June 23, 1945, General Acts of 1945, page 182, Act No. 147, approved June 23, 1945, General Acts of 1945, page 188 and as amended by Act No. 647, approved October 9, 1947, General Acts of 1947, page 500, Act No. 557, approved September 8, 1949, General Acts of 1949, page 868, and Act No. 558, approved September 8, 1949, General Acts of 1949, page 869, and all other laws or parts of laws in conflict herewith.

Committee on Finance and Taxation.

By Mr. Thagard:

S. B. 498. Relating to Butler County; amending Section 7 of the Act approved May 23, 1951 (Act No. 27, H. 213, Regular Session, 1951) entitled "An Act To create and establish in Butler County, in lieu of the county court and the juvenile court, a court of record with county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein"; making the amendment retroactive.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

## A BILL

State of Alabama, County of Butler.

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Butler County; amending Section 7 of the Act approved May 23, 1951 (Act No. 27, H. 213, Regular Session, 1951) entitled "An Act to create and establish in Butler County, in lieu of the county court and the juvenile court, a court of record with county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein"; making the amendment retroactive.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 7 of the Act approved May 23, 1951 (Act No. 27, H. 213, Regular Session, 1951) entitled "An Act to create and establish in Butler County, in lieu of the county court and the juvenile court, a court of record with county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein," is amended to read as follows:

"Section 7. Costs. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts. (b) In addition to the fees for witnesses, the court shall have authority to tax costs for the use of the officers of the court other than the judge, whose fees shall be paid to the county, as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00), the same as in justice courts; (2) in every other civil action at law, the same as in the circuit court; (3) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in justice courts; (4) in every other criminal case, the same as in county courts. (c) A trial tax of one dollar (\$1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00). In every other civil action at law, and in every criminal case, a trial tax of three dollars (\$3.00) shall be collected for the use of the county. (d) No costs shall be taxed in juvenile cases."

Section 2. This Act is remedial and shall have retroactive effect.

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STATE OF ALABAMA,  
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, F. W. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice

having been published in the issues of June 21, June 28, July 5 and July 12, 1951 being numbers 38, 39, 40 & 41, respectively of Volume 86.

F. W. STANLEY.

Sworn to and subscribed before me, this 23rd day of July, 1951.

PAULINE B. FULTON,  
Notary Public.

By Mr. High:

S. B. 499. To amend Section 10 of Title 25 of the Code of Alabama of 1940 relating to commissioners or employees of Municipal Authorities interested in property, materials or services in connection with any housing project.

Committee on Municipalities and Municipal Organizations.

By Messrs. Smith, Todd, Boutwell, Jones, McCary, Skidmore, Andrews, Phillips, Foster and Faulkner:

S. B. 500. To amend Sections 279, 283, 287 and 289 of Title 26, 1940 Code of Alabama, as amended, relating to Workmen's Compensation.

Committee on Immigration, Industrial Resources and Labor.

By Messrs. Faulkner, Byars and Boutwell:

S. B. 501. To impose extra, new, and additional duties upon the State Superintendent of Education and to provide additional compensation for the performance thereof.

Committee on Finance and Taxation.

By Mr. Smith:

S. B. 502. Relating to fertilizers; amending Section 295, Title 2, Code of Alabama (1940).

Committee on Agriculture.

By Mr. Skidmore:

S. B. 503. To alter, rearrange, and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
TUSCALOOSA COUNTY

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED  
AN ACT

TO ALTER, REARRANGE, AND EXTEND THE BOUNDARY LINE  
OF THE CITY OF TUSCALOOSA, IN TUSCALOOSA COUNTY, ALA-  
BAMA.

Be it enacted by the Legislature of Alabama:

Section 1. That the Corporate Limits of the City of Tuscaloosa, Tuscaloosa County, Alabama, be changed and extended to include the following separate territories:

PARCEL 1. Beginning at a point on the north margin of Hargrove Road where the line dividing Range 9 West and Range 10 West crosses said road; thence northwardly along said range line (which is the

present City Limit line) to the northwest corner of the southwest quarter of Section 30, Township 21 South, Range 9 West; thence eastwardly along the north line of said southwest quarter of said Section 30 the northeast corner of the northwest quarter of the southwest quarter of said Section 30; thence southwardly to the southeast corner of the southwest quarter of the southwest quarter of said Section 30; thence westwardly along the south line of said Section 30 a distance of seven hundred nine and two tenths (709.2) feet to a point; thence northwardly parallel to the west line of said Section 30 to a point on the north line of the Hargrove Road; thence westwardly along the north line of the Hargrove Road to the point of beginning.

PARCEL II. All of the northeast quarter of the northwest quarter of Section 29, Township 21 South, Range 9 West.

PARCEL III. All of the southwest quarter of the southeast quarter of Section 20, Township 21 South, Range 9 West.

PARCEL IV. Beginning at a point where the south line of Eighth (8th) Street intersects the north and south center line through Section 21, Township 21 South, Range 10 West; thence northwardly along said north and south center line of said Section 21 which is the City Limit line to the low water line along the right bank of the Warrior River; thence southwestwardly along said low water line along said right bank of the Warrior River to the west line of the southeast quarter of the northwest quarter of said Section 21; thence southwardly along the west line of the southeast quarter of the northwest quarter and the west line of the northeast quarter of the southwest quarter of said Section 21 to the south line of Eighth (8th) Street; thence eastwardly along the south line of Eighth (8th) Street to the point of beginning.

PARCEL V. Beginning at a point where the east line of Section 18, Township 21 South, Range 9 West intersects the Louisville and Nashville Railroad Company north right-of-way line; thence northwardly along the east line of said Section 18 to the northeast corner of the southeast quarter of said Section 18; thence westwardly to the northwest corner of the northeast quarter of the southeast quarter of said Section 18; thence southwardly along the west line of said northeast quarter of the southeast quarter of said Section 18 to a point on the Louisville and Nashville Railroad Company north right-of-way line; thence westwardly along said Louisville and Nashville Railroad Company north right-of-way line to a point on the east line of the Warrior Southern Branch of the Gulf, Mobile and Ohio Railroad Company right-of-way which is the present City Limit line; thence southwardly along said east line of the Warrior Southern Branch of the Gulf Mobile and Ohio Railroad Company right-of-way to the east line of the northwest quarter of the northeast quarter of Section 19, Township 21 South, Range 9 West; thence northwardly along said east line of said northwest quarter of the northeast quarter of said Section 19 to the south line of said Section 18; thence eastwardly along the south line of said Section 18 to the southeast corner of said Section 18; thence northwardly along the east line of said Section 18 to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

June 27, July 4-11-18—4tc.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in

said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me July 19, 1951.

LEO J. JONES,  
Title: Notary Public.  
State at Large, Alabama.

By Mr. Robison:

S. B. 504. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and re-invest the funds of the system and the terms of restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be

deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

Committee on Local Legislation.

By Mr. Robison:

S. B. 505. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the latest federal decennial census, or which shall hereafter have such population according to any such census that may hereafter be taken, to make appropriations and expend out of their revenues an amount not in excess of two hundred dollars (\$200) per year to aid in the care of, or care for, infirmed sick persons within the corporate limits and police jurisdiction of such cities who are unable to provide and care for themselves.

Committee on Local Legislation.

By Mr. Robison:

S. B. 506. To provide for the name and number of the governing body of all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such election to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Committee on Local Legislation.

By Mr. Robison:

S. B. 507. Relating to all cities in the State of Alabama having a population of not less than 78,000 people nor more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Committee on Local Legislation.

By Mr. Robison:

S. B. 508. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 78,000 and not more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed

or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation, or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Committee on Local Legislation.

By Mr. Robison:

S. B. 509. To authorize all counties in the State of Alabama having a population of not less than 96,000 and not more than 141,000, according to the last Federal decennial census, or which shall hereafter have such population according to any Federal census, that may hereafter be taken, to make appropriations and expend out of their funds and revenues an amount not exceeding \$200.00 per annum to aid in the care of or for infirm sick persons, where such infirm sick persons are cared for within the corporate limits and police jurisdiction of any city situated within such county, who are unable to provide and care for themselves.

Committee on Local Legislation.

By Mr. Robison:

S. B. 510. To vacate and abandon that certain Park in the Plat of Highland Park in the City of Montgomery, County of Montgomery, State of Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF MONTGOMERY

Notice is hereby given that at the 1951 regular session of the Legislature of Alabama a bill in substantially the form hereinafter set forth will be introduced and application for its passage and enactment will be made.

A BILL  
TO BE ENTITLED  
AN ACT

To vacate and abandon that certain Park in the Plat of Highland Park in the City of Montgomery, County of Montgomery, State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1: That certain Park in the City of Montgomery, Alabama, hereinafter described be and the same is hereby vacated and abandoned as a park, namely:

That certain Park shown as Block B, Section 7, Highland Park, as shown by Plat recorded in Plat Book 1, page 3, in the Office of the Judge of Probate of Montgomery County, Alabama.

Said Block B, as recorded is bordered on the East by Magnolia Street, on the North by Elm Street, on the West by Olive Street and on the South by Park Place.

Section 2. All rights of the City of Montgomery and of the public generally in and to the said Park are hereby relinquished and surrendered.

Section 3. Be it further enacted that all laws and parts of law in conflict with this Act be, and the same are hereby repealed.  
June 28, July 5-12-19, 1951.

STATE OF ALABAMA  
MONTGOMERY COUNTY

Before me Lucille Raffels, a Notary Public in and for said County in State aforesaid, properly appeared Clint McCarty, who being duly sworn, deposes and says that he is Editor of the Montgomery Examiner, a weekly newspaper published in the town of Montgomery, Alabama, State and County aforesaid, and that a certain advertisement, a true copy of which is hereto attached, has been published in said newspaper, said publication dates being: June 28, July 5, 12, 19, 1951.

CLINT McCARTY,  
Editor.

Sworn to and subscribed before me this 20th day July 1951.

LUCILLE RAFFELS,  
Notary Public.

By Mr. Robison:

S. B. 511. To provide for the appointment of a humane officer in all counties in this state which may now have or which hereafter have a population of ninety-six thousand people and less than one hundred forty-one thousand people according to the last Federal census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties.

Committee on Local Legislation.

By Mr. Robison:

S. B. 512. To Amend Section 187 of Title 13, Code of Alabama of 1940 as amended.

Committee on Finance and Taxation.



By Mr. Robison:

S. B. 513. To amend Section 65, Title 51, Code of Alabama 1940.

Committee on Finance and Taxation.

By Mr. Todd:

S. B. 514. Relating to executive committees of political parties; amending Section 341, Title 17, Code of Alabama (1940).

Committee on Privileges and Elections.

By Mr. Andrews:

S. B. 515. To provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems, and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts, including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama:

Committee on Municipalities and Municipal Organizations.

By Mr. Andrews:

S. B. 516. To Amend Section 440, Title 37, Alabama Code of 1940.

Committee on Municipalities and Municipal Organizations.

By Mr. Boutwell:

S. B. 517. Relating to Jefferson County: To amend Section 6, of Act No. 536, S. 365, approved October 2, 1947, 1947 Local Acts, page 359, which relates to the collection of delinquent court costs and fees in Jefferson County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE OF PROPOSED LOCAL ACT

Notice is hereby given that the following bill will be introduced in the present session of the Legislature of Alabama:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Jefferson County: To amend Section 6, of Act No 536, S. 365, approved October 2, 1947, 1947 Local Acts, page 359, which relates to the collection of delinquent court costs and fees in Jefferson County

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 536, S. 365, approved October 2, 1947, Local Acts, page 359, is amended to read:

"Section 6. That all executions for delinquent court costs and fees shall continue in force and effect for ten years from date of issuance unless sooner recalled in the manner hereinabove provided. The License Inspector shall have authority to accept partial or installment payments thereon from time to time within his discretion. He shall have authority to file any such execution with the Probate Judge, whereupon it shall be the duty of the Probate Judge to record, register, and index such execution in all respects as is required as to a certificate of judgment rendered by the Circuit Court, and when so filed any such execution shall be a lien in favor of the County on all property of any party against whom such execution was issued, which is subject to levy and sale under execution, and such lien shall continue for ten years after date of issue of such execution, and the County shall have the same remedies for the enforcement of such lien as is given by law to the plaintiff in a registered judgment or decree. Where there is more than one such case in the same court it shall not be necessary for the License Inspector to issue separate process for the collection of costs in each case, but he may issue one process only, including execution, garnishment and certificate of judgment for all costs in one or more cases, and for which any one person, firm or corporation is liable."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—June 30; July 7-14-21, 1951.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 30- July 7-14-21-1951, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 23rd day of July, 1951.

MALCOE L. WHEELER,  
Notary Public.

By Mr. Boutwell:

S. B. 518. To amend Section 47 of Title 58 of the 1940 Code of Alabama which relates to the investments of trust funds by fiduciaries.

Committee on Judiciary.

## REPORTS OF COMMITTEES

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Eslick and Reynolds (Madison):

H. 68. To authorize and provide for the payment of the sum of \$2,850.00 out of any funds in the State Treasury to the credit of the Highway Patrol Fund for the relief of Maurice S. Chambers, to reimburse him for hospital, doctor and medical bills, and for compensation for injuries received by him by reason of an accident occurring on the 14 day of August, 1948, while the said Maurice S. Chambers was employed by the State of Alabama as a member of the State Highway Patrol, and while he was acting in the line and scope of his employment as a patrolman.

Mr. Boutwell, Chairman of the Standing Committee, on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute and it was read a second time and placed on the calendar, to-wit:

By Messrs. Boutwell, Phillips, Quarles, Wright, Faulkner and Robison (With substitute):

S. 228. To make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State, and for the interest on the Public Debt, and for the Public Schools.

Mr. Boutwell, Chairman of the Standing Committee of Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pinson and Boutwell:

S. 234. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics and agriculture.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Thagard (With amendment):

S. 482. Relating to exemptions of persons and property from ad valorem taxation; amending Section 2, Title 51, Code of Alabama, 1940, as amended.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

H. 241. To amend Sections 3 and 8 of Act No. 481 of the Legislature of Alabama of 1945, entitled: "An Act to promote and encourage the poultry industry and to regulate public hatcheries, chick dealers, and

jobbers; the shipping into the State of baby chicks; turkey poults, and hatching eggs; and to authorize the Alabama Department of Agriculture and Industries to make regulations for such purposes and for the control of contagious and infectious diseases in poultry," approved July 7, 1945, by requiring public hatcheries, chick dealers and jobbers to pay an annual permit fee; to provide a delinquent fee and penalty for failure to pay such permit fee.

By Messrs. Leonard and Payne:

H. 731. To re-divide the State into Judicial circuits and provide for the compensation, election and/or appointment of the Judge and Solicitor of the newly created Circuit.

By Mr. Robison:

S. 137. To amend Section 62 of Title 13 of the Code of 1940 as amended.

By Mr. Ward:

H. 184. To amend Section 693 of Title 51 of the Code of Alabama, 1940, which relates to the license and registration fees on motor vehicles kept for private use.

By Mr. Crook:

H. 7. To provide for the payment of a recording privilege tax on the presentation for record of certain transfers of instruments securing debt originally executed to corporations or organizations exempt from such tax, and to provide exemption from any further recording privilege tax and from ad valorem tax.

By Mr. Skidmore:

S. 362. To require the Division of the Budget and the Budget Officer to furnish certain fiscal information and data to members of the Legislature and to assist in the fiscal management of the Alabama Building Commission or its successor; to provide for the salary of the State Budget Officer, and to provide an effective date for this Act.

By Mr. Robison:

S. 143. To amend Section 103, of Title 13, of the Code of 1940 as amended.

By Messrs. Skidmore and Phillips:

S. 231. To amend Title 55, Section 249, of the Code of Alabama 1940, as amended, which relates to the salary of the State Geologist.

By Messrs. Robison, Faulkner, Locke (Choctaw), Jones, Todd, Hollis, Larkins, Pinson, Farmer, Byars, Smith, Sollie, McCary, Golson, Bonner, Phillips, Andrews, High, Fant, Foster, Thagard and Whatley.

S. 160. To impose extra, new, and additional duties upon the Attorney General of Alabama; to provide additional compensation for the performance of the extra, new, and additional duties hereby imposed upon him; and to provide for the payment of additional compensation for the performance of such duties.

By Mr. Robison:

S. 141. To amend Section 29 of Title 13 of the Code of 1940 as amended.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Robison (With amendment):

S. 138. To amend Section 57 of Title 13 of the Code of 1940 as amended.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President Pro Tem:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in Session, has compared the following Enrolled Bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to-wit:

S. 41. To merge the building commission created by Section 365 of Title 55 of the Code of Alabama (1940), the commission to acquire land created by Section 15 of Title 55 of the Code of Alabama (1940), and the Alabama Building Corporation, with the Building Commission of 1945; and making an appropriation for the maintenance and operation of the Building Commission of 1945 for the next two fiscal years.

HERBERT B. BYARS,  
Chairman.

## SIGNING OF BILL

The President Pro Tem of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF THE SPECIAL LEGISLATIVE COMMITTEE  
INVESTIGATING PARDONS AND PAROLES

The report of the Special Legislative Committee Investigating Pardons and Paroles was filed with the Secretary on motion of Mr. Johnston (Mobile).

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bills, your signature thereto is requested.

H. J. R. 68. Relative to thanking the Auburn and Opelika Chambers of Commerce hospitality on July 11, 1951.

Also:

H. 302. To authorize the appointment of two additional deputies sheriff in counties having populations of not less than 29,400 nor more than 30,500 inhabitants, and to provide for their compensation.

Also:

H. 228. Regulating the business of selling, distributing, storing or transporting liquefied petroleum gases: To regulate the design, construction, location, installation and operation of containers, tanks, systems and equipment for storing, utilization, handling and transporting liquefied petroleum gases; to create the Alabama Liquefied Petroleum Gas Commission and define its duty and authority; to provide for permits, permit fees and insurance and bond requirements of persons engaged in the businesses defined in this Act; to provide for a minimum amount of storage of liquefied petroleum gas by persons engaged in businesses defined in this Act; to provide penalties for the violation of this Act and any rule, or order promulgated pursuant hereto and to provide for the effective date of this Act.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution, the titles of which are set out in the foregoing message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 70. Relative to naming H. B. 159.

Also:

H. J. R. 71. Relative to naming H. B. 46.

Also:

H. J. R. 72. Relative to naming S. B. 10.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 366. To prevent the spread of hog cholera disease among swine and to provide for the control and eradication of such disease by prohibiting the possession, sale, keeping for sale, exchange or otherwise distributing of hog cholera virus in Alabama; to provide that premises on which hog cholera disease is found to exist shall be quarantined; also providing that the several counties of Alabama are authorized to make appropriations to carry out the provisions of this Act; and to provide a penalty for violations of this Act.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

By Mr. Thagard:

S. J. R. 43. Relating to naming Senate Bill 109.

Also:

By Mr. Thagard:

S. J. R. 44. Relating to naming Senate Bill 128.

Also:

By Mr. Clayton:

S. J. R. 45. Relating to the naming of S. B. 74.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING

The Bill:

H. 658. To alter or to rearrange the boundary lines of the Town of Chatom, Washington County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in Washington County, Alabama.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. 658

Amend Section 4 of the bill to read as follows:

Section 4. The judge of probate of Washington County shall, within ten days from the date of the enactment of this Act, make and enter an order upon the minutes of said court directing and ordering an election to be held by the qualified electors residing within the territory described in this Act on the same day that the next regular, special, or constitutional amendment election is held in such county, at which election there shall be submitted the question "Do you favor the annexation of territory to the Town of Chatom as proposed in H. B. No. 658 as passed at the 1951 regular session of the Legislature?" If a majority of the votes cast at said election are in favor of the proposal, this Act shall be operative immediately; if a majority of the votes cast at such election are against the proposal, this Act shall have no further force or effect. The election provided for herein shall be held and conducted by the officers appointed to hold the general, special, or constitutional amendment election held on the same day. The judge of probate shall canvass the returns of the election and enter an order declaring the result. The Town of Chatom shall pay the cost and expense incidental to the election provided for herein.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Norrell	
Andrews	Fant	Hollis	Phillips	
Benson	Farmer	Locke (Choctaw)	Pinson	
Boutwell	Faulkner	Locke (Perry)	Quarles	
Byars	Foster	McCary	Reneau	
Clayton	Golson			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Eddins	Faulkner
Andrews	Byars	Fant	Foster
Benson	Clayton	Farmer	Golson

High	Locke (Perry)	Phillips	Quarles	
Hollis	McCary	Pinson	Reneau	
Locke (Choctaw)	Norrell			—21
Nays:				—0

The Bill:

S. 434. To confer jurisdiction upon the Inferior Civil Court of Mobile, Alabama, concurrent with all Justice of the Peace Courts in Mobile County, Alabama, in matters pertaining to forcible entry and detainer, and unlawful detainer, where the real property lies anywhere within the limits of Mobile County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	McCary	Reneau	
Andrews	Golson	Norrell	Richardson	
Benson	High	Phillips	Todd	
Boutwell	Hollis	Pinson	Whatley	
Byars	Johnston (Mobile)	Quarles	Wright	
Faulkner	Jones			—21

Nays: —0

The Bill:

H. 574. To fix the supplemental salaries of Circuit Judges in circuits having only one county and not less than three nor more than five Judges to be paid out of the County Treasury of said county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Reneau	
Andrews	Farmer	Johnston (Mobile)	Richardson	
Benson	Faulkner	Jones	Smith	
Boutwell	Foster	Pinson	Sollie	
Byars	Golson	Quarles	Thagard	
Eddins	High			—21

Nays: —0

The Bill:

H. 529. To alter, rearrange and extend the corporate limits of the Town of Vernon, Lamar County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Sollie	
Andrews	Fant	Hollis	Thagard	
Benson	Farmer	Jones	Todd	
Boutwell	Faulkner	McCary	Whatley	
Byars	Foster	Norrell	Wright	
Clayton	Golson			—21



*Nays:*

—0

The Bill:

H. 595. Relating to Lee County: To authorize the Circuit Clerk of Lee County, Alabama, to employ and prescribe the duties of clerical assistants with the approval of the county governing body, and to provide that the compensation of such assistants shall be fixed and paid by the governing body of Lee County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Hollis	Quarles	Sollie	
Andrews	Jones	Reneau	Thagard	
Benson	McCary	Richardson	Todd	
Farmer	Norrell	Robison	Whatley	
Golson	Phillips	Smith	Wright	
High	Pinson			—21

*Nays:*

—0

The Bill:

H. 588. To impose extra, new, and additional duties upon the members of the county governing body of Lamar County and to provide additional compensation for the performance thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Phillips	
Andrews	Fant	Hollis	Pinson	
Benson	Farmer	Jones	Todd	
Boutwell	Faulkner	McCary	Whatley	
Byars	Foster	Norrell	Wright	
Clayton	Golson			—21

*Nays:*

—0

The Bill:

H. 331. To allow the Sheriff of Lamar County, Alabama an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Fund of Lamar County in monthly installments.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Sollie	
Andrews	Fant	Hollis	Thagard	
Benson	Farmer	Jones	Todd	
Boutwell	Faulkner	McCary	Whatley	
Byars	Foster	Norrell	Wright	
Clayton	Golson			—21

*Nays:*

—0

## The Bill:

S. 346. To repeal Section 7 of Act No. 370, entitled "An Act relating to livestock; prescribing certain powers and duties of the Department of Agriculture and Industries with respect to preventing, combating and extirpating certain contagious, infections and communicable diseases of livestock; providing for the purchase, distribution and administration of anti-hog cholera serum, hog cholera virus and any other approved immunizing agent and making an appropriation therefor", approved August 16, 1947.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 27; Nays 0.

## Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison
Andrews	Faulkner	Locke (Perry)	Skidmore
Benson	Foster	McCary	Sollie
Boutwell	High	Norrell	Thagard
Byars	Hollis	Quarles	Todd
Eddins	Johnston (Mobile)	Reneau	Whatley
Fant	Jones	Richardson	Wright

—27

## Nays:

—0

## The Bill:

S. 289. To propose and to provide for the submission of an amendment to the Constitution of Alabama conferring on the municipalities of Tuscumbia, Sheffield, Hurtsboro, Russellville, Lanett, Demopolis, Pell City, Heflin, Columbiana, Carrollton, Opelika, Fairhope, Pine Hill, Scottsboro, Stevenson, Ashland, Brewton, Pollard, Flomaton, Atmore, Tuskegee, Aliceville, Gordo, Reform, Livingston, Camden, Monroeville, Phenix City, Birmingham, Bessemer, Florence, Huntsville, Selma, Fairfield, Anniston, Athens, Jacksonville, Auburn, Carbon Hill and Lafayette, in lieu of the power conferred by Amendment No. VIII to said constitution to levy and collect an ad valorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) for the purpose of paying bonds and the interest thereon, the power to levy and collect such tax for the purpose of paying bonds and the interest thereon outstanding at the time of the adoption of the amendment proposed by this act and for the purpose of paying the principal of and the interest on bonds, warrants, notes and other evidences of indebtedness issued after the adoption of said proposed amendment; conferring on the municipalities of Thorsby, Piedmont, Greenville, Roanoke, Greensboro, Calera, Floral, Opp, Evergreen, Fayette, Clayton and Clio in lieu of the power conferred by Amendment No. XVII to said constitution to levy and collect an ad valorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) for the purpose of paying bonds or indebtedness and the interest thereon, the power to levy and collect such tax for the purpose of paying bonds or indebtedness and the interest thereon outstanding at the time of the adoption of the amendment proposed in this act and for the purpose of paying the principal of and the interest on bonds, warrants, notes and other evidences of indebtedness issued after the adoption of said proposed amendment; and authorizing each of the named municipalities to pledge for the benefit of any bonds, warrants, notes or other evidences of indebtedness issued after the adoption of said proposed amendment the proceeds from the tax which such municipality is authorized to levy by said proposed amendment; and providing that, unless otherwise provided in the proceedings authorizing their issuance, any securities for the benefit of which such pledge is made shall take precedence, in the order of

their issuance, as charges on said tax proceeds prior to any securities issued after the adoption of said proposed amendment with respect to which no such pledge is made.

was taken up.

Mr. Andrews offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR SENATE BILL 289:

A BILL  
TO BE ENTITLED  
AN ACT

To propose and to provide for the submission of an amendment to the Constitution of Alabama conferring on the municipalities of Tuscumbia, Sheffield, Hurtsboro, Russellville, Lanett, Pell City, Heflin, Carrollton, Opelika, Fairhope, Pine Hill, Scottsboro, Stevenson, Brewton, Pollard, Flomaton, Atmore, Tuskegee, Aliceville, Gordo, Reform, Livingston, Camden, Monroeville, Phenix City, Florence, Huntsville, Athens, Auburn, and LaFayette, in lieu of the power conferred by Amendment No. VIII to said constitution to levy and collect an ad valorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) for the purpose of paying bonds and the interest thereon, the power to levy and collect such tax for the purpose of paying the principal of and the interest on bonds and warrants, whether outstanding at the time of the adoption of the amendment proposed by this act or issued thereafter; conferring on the municipalities of Roanoke, Florida, Opp, Evergreen, Fayette, Clayton and Clio, in lieu of the power conferred by Amendment No. XVII to said constitution to levy and collect an ad valorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) for the purpose of paying bonds or indebtedness and the interest thereon, the power to levy and collect such tax for the purpose of paying bonds or indebtedness and the interest thereon outstanding at the time of the adoption of the amendment proposed in this act and for the purpose of paying the principal of and the interest on bonds and warrants, whether outstanding at the time of the adoption of said proposed amendment or issued thereafter; and authorizing each of the named municipalities to pledge for the benefit of any bonds, warrants, notes or other evidences of indebtedness issued after the adoption of said proposed amendment the proceeds from the tax which such municipality is authorized to levy by said proposed amendment; and providing that, unless otherwise provided in the proceedings authorizing their issuance, any securities for the benefit of which such pledge is made shall take precedence, in the order of their issuance, as charges on said tax proceeds prior to any securities issued after the adoption of said proposed amendment with respect to which no such pledge is made.

Be It Enacted By the Legislature of Alabama:

Section 1. The following amendment to the constitution of Alabama is hereby proposed:

"(A) This paragraph shall apply only to the following municipalities in the State of Alabama: Tuscumbia, Sheffield, Hurtsboro, Russellville, Lanett, Pell City, Heflin, Carrollton, Opelika, Fairhope, Pine Hill, Scottsboro, Stevenson, Brewton, Pollard, Flomaton, Atmore, Tuskegee, Aliceville, Gordo, Reform, Livingston, Camden, Monroeville, Phenix City, Florence, Huntsville, Athens, Auburn, and LaFayette. In lieu of the power conferred on said municipalities by that certain amendment to the constitution of Alabama known as Amendment No. VIII and proposed by Act No. 650 adopted at the 1919 Regular Session of the Legislature of Alabama to levy and collect an additional ad valorem tax of one-half of one-per centum ( $\frac{1}{2}$  of 1%) for the purpose of paying bonds issued and outstanding at the time of the adoption of said amendment and the inter-

est thereon and for the purpose of paying bonds which might be issued after the adoption of said amendment and the interest thereon, each of said municipalities shall have the power to levy and collect an additional annual ad valorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) on taxable property situated in the municipality making the levy, any such levy to be based on the valuation of such property as assessed for state taxation for the tax year ending on the 30th day of September next succeeding the levy, for the purpose of paying the principal of and the interest on any bonds and warrants of such municipality, whether outstanding at the time of the adoption of this amendment or issued thereafter. The power conferred by this amendment shall supersede the aforesaid power in lieu of which the power herein conferred is granted, but no other power conferred by the said amendment known as Amendment No. VIII shall be superseded or altered by this amendment.

“(B) This paragraph shall apply only to the following municipalities in the State of Alabama: Roanoke, Florala, Opp, Evergreen, Fayette, Clayton and Clio. In lieu of the power conferred on said municipalities by that certain amendment to the Constitution of Alabama known as Amendment No. XVII and proposed by Act No. 456 adopted at the 1923 Regular Session of the Legislature of Alabama to levy and collect an additional ad valorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) for the purpose of paying bonds or indebtedness issued and outstanding at the time of the adoption of said amendment and the interest thereon and for the purpose of paying bonds or indebtedness which might be issued or incurred after the adoption of said amendment and the interest thereon, each of said municipalities shall have the power to levy and collect an additional annual ad valorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) on taxable property situated in the municipality making the levy, any such levy to be based on the valuation of such property as assessed for state taxation for the tax year ending on the 30th day of September next succeeding the levy, for the purpose of paying the principal of and the interest on any bonds or indebtedness of such municipality issued and outstanding at the time of the adoption of this amendment and for the purpose of paying the principal of and the interest on any bonds and warrants of such municipality issued after the adoption of this amendment. The power conferred by this amendment shall supersede the aforesaid power in lieu of which the power herein conferred is granted, but no other power conferred by the said amendment known as Amendment No. XVII shall be superseded or altered by this amendment.

“(C) Each of the municipalities named in this amendment shall further have the power to pledge for payment of the principal of and the interest on any bonds and warrants that may hereafter be issued by such municipality the proceeds of the tax which such municipality is herein authorized to levy. Unless otherwise provided in the proceedings authorizing their issuance, any such securities for payment of which a pledge is made under the authority of this amendment shall take precedence, in the order of their issuance, as charges upon said tax proceeds prior to any such securities hereafter issued for payment of which no such pledge may be made.

“(D) This agreement shall not be construed as increasing the total rate of taxation permitted to any municipality prior to the adoption of this amendment, and shall not be construed to impair the obligation of any contract made by any municipality prior to the adoption of this amendment.”

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday following the expiration of three months after the final adjournment of the 1951 Regular Session of the Legislature. At the said election the proposed amendment shall be submitted to the qualified electors of the State of Alabama, and on the official ballot provided for such election there shall be printed the following: “Shall the

following be adopted as an amendment to the Constitution of Alabama?", after which there shall be set forth verbatim the amendment proposed in Section 1 of this act, after which there shall be printed the word "Yes" and immediately under that word there shall be printed the word "No." Space shall be provided on each ballot for the elector to indicate his choice by a cross mark opposite the word expressing his desire.

Section 3. Notice of the election on the proposed amendment shall be given by proclamation of the Governor published in a newspaper in each county in the state once a week for four successive weeks next preceding the day herein appointed for the election, and in any county in which there may be no newspaper published the notice shall be posted at each court house therein. The expenses of the election shall be paid out of the State Treasury. There is hereby appropriated out of the General Fund of the State such sum as may be necessary to defray the expenses of the election.

Which was adopted.

Yeas 25; Nays 4.

Yeas:

Messrs.:	Farmer	Norrell	Skidmore
Andrews	Faulkner	Phillips	Smith
Benson	Foster	Pinson	Thagard
Byars	High	Reneau	Todd
Clayton	Hollis	Richardson	Whatley
Eddins	Locke (Choctaw)	Robison	Wright
Fant	Locke (Perry)		

—25

Nays:

Messrs.:	Golson	Quarles	Sollie
Bonner			

—4

And said Bill, as thus amended by the substitute, was then read a third time at length as required by the Constitution, and passed and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 5.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Skidmore
Andrews	Faulkner	Norrell	Smith
Benson	Foster	Phillips	Thagard
Byars	High	Pinson	Todd
Clayton	Hollis	Reneau	Whatley
Eddins	Jones	Richardson	Wright
Fant	Locke (Choctaw)	Robison	

—26

Nays:

Messrs.:	Boutwell	Quarles	Sollie
Bonner	Golson		

—5

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 297. To amend Section 131 of Title 47 of the Code of Alabama of 1940 as amended by Act No. 642 approved July 11, 1940, of the 1939 gen-

eral session of the Legislature of Alabama and as further amended by Act No. 574 approved July 10, 1943 of the 1943 general session of the Legislature of Alabama.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 35. To impose extra, new and additional duties upon the Commissioner of Agriculture and Industries of Alabama; to provide additional compensation for the performance of the extra, new and additional duties hereby imposed upon the Commissioner of Agriculture and Industries and to provide for the appropriation and payment of such additional compensation.

Also:

H. 223. Relating to schools: amending Section 100, Title 52, Code of Alabama (1940), which prescribes the qualifications and method of selecting school trustees.

Also:

H. 327. Relating to the plat books of tax assessors; amending Sections 66, 67, and 68, Title 51, Code of Alabama (1940), as amended.

Also:

H. 341. To amend Sections 719, 727 and 728 of Title 51 of the Code of Alabama (1940), which relate to the tobacco tax.

Also:

H. 366. To prevent the spread of hog cholera disease among swine and to provide for the control and eradication of such disease by prohibiting the possession, sale, keeping for sale, exchange or otherwise distributing of hog cholera virus in Alabama; to provide that premises on which hog cholera disease is found to exist shall be quarantined; also providing that the several counties of Alabama are authorized to make appropriations to carry out the provisions of this Act; and to provide a penalty for violations of this Act.

Also:

H. 297. To amend Section 131 of Title 47 of the Code of Alabama of 1940 as amended by Act No. 642 approved July 11, 1940, of the 1939 general session of the Legislature of Alabama and as further amended by Act No. 574 approved July 10, 1943 of the 1943 general session of the Legislature of Alabama.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Meeks and Martin:

HOUSE JOINT RESOLUTION NO. 73. Be it resolved by the Legislature of Alabama, both Houses thereof concurring, That the tragic death of Addie Morgan White, wife of the Honorable John G. White, a former member of this body is deeply mourned, and the sincere sympathy of the members of this body is extended to John White and the members of his bereaved family for their great loss.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Clayton, the Rules were suspended and the Resolution, H. J. R. 73, was concurred in and unanimously adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 331. To allow the Sheriff of Lamar County, Alabama an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Fund of Lamar County in monthly installments.

Also:

H. 529. To alter, rearrange and extend the corporate limits of the Town of Vernon, Lamar County, Alabama.

Also:

H. 574. To fix the supplemental salaries of Circuit Judges in circuits having only one county and not less than three nor more than five Judges to be paid out of the County Treasury of said county.

Also:

H. 588. To impose extra, new, and additional duties upon the members of the county governing body of Lamar County and to provide additional compensation for the performance thereof.

Also:

H. 595. Relating to Lee County: To authorize the Circuit Clerk of Lee County, Alabama, to employ and prescribe the duties of clerical assistants with the approval of the county governing body, and to provide that the compensation of such assistants shall be fixed and paid by the governing body of Lee County.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote

of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. McCoy:

H. 752. Relating to Escambia County; authorizing the governing body of the County to pay the compensation of an additional deputy sheriff, to be appointed by the Sheriff of Escambia County and to be stationed by him at Atmore.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that at the regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Escambia County; authorizing the governing body of the County to pay the compensation of an additional deputy sheriff, to be appointed by the Sheriff of Escambia County and to be stationed by him at Atmore.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Escambia County is hereby authorized to pay, in its discretion, from any funds in the county treasury not otherwise appropriated, the compensation of a deputy sheriff, to be appointed by the Sheriff, and to be by him stationed at Atmore; PROVIDED, the compensation of such deputy shall not be less than one thousand two hundred dollars (\$1,200) nor more than three thousand six hundred dollars (\$3,600) per annum. The deputy sheriff provided for in this Act shall be in addition to all deputies sheriff heretofore authorized by law and he shall perform his duties and exercise his authority in such manner as the Sheriff may direct.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

5-31-4c

#### AFFIDAVIT OF PUBLICATION

#### STATE OF ALABAMA ESCAMBIA COUNTY

M. L. Ritchie, being duly sworn, deposes and says that he is the Publisher of The Atmore Advance, a Weekly Newspaper published at Atmore, Escambia County, Alabama; that the notice hereto attached of Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication May 31, 1951, Vol. XXIV No. 44

Date of 2nd publication June 7, 1951 Vol. XXIV No. 45



Date of 3rd publication June 14, 1951 Vol. XXIV No. 46

Date of 4th publication June 21, 1951 Vol. XXIV No. 47

Subscribed and sworn before the undersigned this 10 day of July, 1951.

ORIS E. DAVIS

Notary Public, Escambia County.

M. L. RITCHIE,  
Publisher.

Also:

By Mr. McCoy:

H. 751. To provide for the election and qualifications of the Superintendent of Education of Escambia County and for the filling of vacancies in the office; and making the Act operative upon its approval by a majority of the voters of Escambia County voting in a referendum.

With notice and proof thereto attached and herewith exhibited as follows:

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide for the election and qualifications of the Superintendent of Education of Escambia County and for the filling of vacancies in the office; and making the Act operative upon its approval by a majority of the voters of Escambia County voting in a referendum.

**Be It Enacted by the Legislature of Alabama:**

Section 1. The successors of the present Superintendent of Education of Escambia County shall be elected by the qualified electors of Escambia County at the general election next preceding the expiration of the term of such present Superintendent of Education and every four years thereafter. The Superintendent of Education shall hold office for a term of four years from the July 1 next succeeding his election and until his successor is elected and qualified. Vacancies in the office of Superintendent of Education of Escambia County shall be filled for the unexpired term by appointment of the Board of Education of Escambia County.

Section 2. The Superintendent of Education of Escambia County shall possess all the qualifications prescribed for county superintendents of education by the general laws of the State.

Section 3. The provisions of this Act shall become operative only if approved by a majority of the electors of Escambia County voting in a referendum to be held on the date of the next county-wide primary, special or general election, including any election held upon a proposed constitutional amendment. The governing body of Escambia County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. \_\_\_\_\_, of the 1951 Regular Session of the Legislature, approved the \_\_\_\_\_ day of \_\_\_\_\_, 1951 be adopted? Yes ( ) No ( )." If a majority of the votes cast at the election are "yes," the provisions of this Act shall become effective immediately. If a majority are "no," the Act shall have no effect. 5-24-4c

**AFFIDAVIT OF PUBLICATION**

**STATE OF ALABAMA  
ESCAMBIA COUNTY**

M. L. Ritchie, being duly sworn, deposes and says that he is the PUBLISHER of THE ATMORE ADVANCE, a Weekly Newspaper published

at Atmore, Escambia County, Alabama; that the notice hereto attached of Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication May 24, 1951 Vol. XXIV No. 43

Date of 2nd publication May 31, 1951 Vol. XXIV No. 44

Date of 3rd publication June 7, 1951 Vol. XXIV No. 45

Date of 4th publication June 14, 1951 Vol. XXIV No. 46

Subscribed and sworn before the undersigned this 10 day of July 1951.

ORIS E. DAVIS

Notary Public, Escambia County.

M. L. RITCHIE,  
Publisher.

Also:

By Mr. Bamburg:

H. 757. To authorize the Court of County Commissioners of Bibb County, Alabama, to provide an additional deputy sheriff for Bibb County, Alabama, in addition to the deputies now provided by law, to be appointed by and to serve at the pleasure of the sheriff; to provide for the annual salary of such deputy to be determined by said Court of County Commissioners which said annual salary shall not be less than One Thousand and eight hundred dollars (\$1800) nor more than Two Thousand Four Hundred dollars (\$2400), per year, payable in equal monthly installments from the general fund of said county; and to provide that the said Court of county commissioners shall have power and authority to revoke the provisions and allowances for said deputy sheriff at any time.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### AN ACT

#### STATE OF ALABAMA BIBB COUNTY

NOTICE is hereby given that at the next session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

To Authorize the Court of County Commissioners of Bibb County, Alabama, to provide an additional deputy sheriff for Bibb County, Alabama, in addition to the deputies now provided by law, to be appointed by and to serve at the pleasure of the sheriff; to provide for the annual salary of such deputy to be determined by said Court of County Commissioners which said annual salary shall not be less than One Thousand and eight hundred dollars (\$1800) nor more than Two Thousand Four Hundred dollars (\$2400), per year, payable in equal monthly installments from the general fund of said county; and to provide that the said Court of county commissioners shall have power and authority to revoke the provisions and allowances for said deputy sheriff at any time.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That the Court of County Commissioners of Bibb County, Alabama, is hereby authorized to provide an additional deputy sheriff for said county, in addition to the deputies now provided by law, who shall be appointed by and shall serve at the pleasure of the Sheriff of Bibb County, Alabama.

SECTION 2. That the salary of such deputy sheriff shall be determined by the Court of County Commissioners of Bibb County, Alabama, in an amount not to be less than One Thousand and Eight Hundred Dollars (\$1800) nor more than Two Thousand Four Hundred Dollars (\$2400) per year, and shall be payable in equal monthly installments from the general fund of said county.

SECTION 3. That the Court of County Commissioners of Bibb County, Alabama, shall have full power and authority to revoke the provisions and allowances for said additional deputy sheriff at any time.

SECTION 4. That all laws or parts of laws, general, special, or local, in conflict herewith be and the same are hereby expressly repealed.

SECTION 5. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.  
M-15t4-chg.

### PROOF OF PUBLICATION

#### STATE OF ALABAMA BIBB COUNTY

Before me, Marvin Huett, a Notary Public, in and for said State and County aforesaid, personally appeared J. W. Oakley, Publisher of The Centreville Press, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in The Centreville Press for 4 consecutive weeks, as follows: March 15, 22, 29 and April 5, 1951. That The Centreville Press is a weekly newspaper of general circulation in Bibb County, Alabama; That it is entered in the Postoffice at Centreville, Alabama, as second-class mailing matter; That it has been published for 52 consecutive weeks prior to the publication of this legal notice.

J. W. OAKLEY,  
Publisher.

Sworn to and subscribed before me, this 7th day of May, 1951.

MARVIN HUETT,  
Notary Public.

Also:

By Mr. Grouby:

H. 750. TO AMEND Sections 8 and 11 of Act No. 445, Local Acts, 1947, page 303, establishing a Court of Common Pleas for Autauga County, Alabama, and to further provide for its officers, their powers and duties and compensations.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

TO AMEND Sections 8 and 11 of Act No. 445, Local Acts, 1947, page 303, establishing a Court of Common Pleas for Autauga County, Alabama, and to further provide for its officers, their powers and duties and compensations.

To Be Enacted by the Legislature of Alabama:

Section 1. That Section 8 of Act No. 445, Local Acts, 1947, page 303, be and the same is hereby amended to read as follows: Section 8. The Sheriff of Autauga County shall, in person, or by deputy, be required to attend upon said Court, to preserve order and execute all writs or process

issued therefrom and to perform such other duties in all respects as he is required by law to perform in the Circuit Court of Autauga County; and for such services of attending said Court the Sheriff shall receive the sum of Three Dollars per day payable out of the general fund; and for all services rendered by him, other than attendance upon the Court hereinabove provided for, he shall receive the same costs and fees as are allowed by law for similar services performed and done in the Circuit Court; and in addition thereto the Sheriff shall execute all writs of arrest; return to Court all counter-affidavits, bonds, or undertakings taken or approved by him; serve all summons, subpoenae or notices; execute all writs, processes or judgments; transport all prisoners to jail and shall guard each prisoner lawfully committed to jail, in the exercise of preliminary jurisdiction by the Court of all felony and bastardy cases, of original jurisdiction of juvenile, non-support, and possession wrongfully withheld cases, and proceedings to keep the peace, and upon either conviction, nolle prosequi, the case being transferred to the Grand Jury Docket of Autauga County, or being otherwise disposed of, the Sheriff shall receive the following fees to be paid from the fine and forfeiture fund of Autauga County, Alabama, or such other fund in lieu thereof, for such services rendered by him:

For executing warrant or writ of arrest in felony cases.....	\$4.00
For executing warrant or writ of arrest in bastardy, juvenile, and non-support cases and proceedings to keep the peace.....	2.00
For each bond or undertaking returned to court.....	1.00
For serving each summons, subpoena, or notice.....	.50
For guarding each prisoner lawfully committed to jail in all cases	2.00
Serving original writ or process and return.....	1.00
For receiving counter-affidavit and return.....	.50
For executing the writ or process or judgment by placing the plaintiff in possession .....	2.00
Mileage incurred in making arrest or transfer of prisoner per mile	.10

Section 2. That Section 11 of Act No. 445, Local Acts, 1947, page 303, be and the same is hereby amended to read as follows: Section 11. The Clerk shall receive the same fees, commissions and costs as are now or hereafter allowed by law to the Clerks of the Circuit Courts of this State, also he shall receive, as ex-officio fees, for ex-officio duties performed as Clerk of the Court of Common Pleas of Autauga County, the same amount which he is paid in the Circuit Court of Autauga County. This fee shall be governed by Title 11, Paragraph 24, Code of 1940, as amended. Said sum shall be paid in Twelve monthly payments payable out of the general fund of Autauga County, Alabama. In addition to the duties, fees, commissions and costs provided by Section 10 and this Section, the Clerk shall docket each case when returned by the Sheriff; issue all writs, including writs of possession, scire facias, notices, subpoenae, and executions; enter all continuances, recognizances, judgments, sentences, discharges of bail on surrender of the principal, orders of removal of trial, and the incidents of such removal, forfeitures against defendant or witness, and final judgment of same; approve appeal bonds and make transcripts of cases disposed of in this Court and attach thereto his certificate; and receive and file counter-affidavits, in the exercise of preliminary jurisdiction by the Court of all felony and bastardy cases of original jurisdiction of juvenile, non-support, and possession wrongfully withheld cases, and proceedings to keep the peace, and upon either conviction, nolle prosequi, the case being transferred to the Grand Jury Docket of Autauga County, or otherwise disposed of, the Clerk shall receive the following fees to be paid from the fine and forfeiture fund of Autauga County, Alabama, or such other fund in lieu thereof, for such services rendered by him:

For Docketing each cause, to be charged but once.....	\$1.00
For issue of any writ, scire facias or notice.....	.50
Each subpoena issued .....	.25
Each continuance.....	.25
Entering recognizance .....	.50
For each trial.....	1.00
Entering judgment as to each defendant.....	.50
Entering sentence against each defendant.....	.25
Issue of each execution .....	.50
Each entry of the discharge of bail on surrender of the principal, to be paid by the bail.....	.50
Entering order or removal of trial and the incidents of such removal .....	1.00
Making transcript and certificate, for each one hundred words ..	.15
Entry of forfeiture against defendant.....	.50
Final judgment of forfeiture against defendant.....	.50
Entry of forfeiture against witness .....	.25
Approving appeal bond.....	1.00
Receiving and filing counter-affidavits .....	.50

this Act, are hereby repealed.

Section 3. That all laws, general, local or special, in conflict with the provisions of

Section 4. That this Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.

7J4c

#### THE STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said State and County, this day personally appeared Harry M. Doster, who being by me first duly sworn, deposes and says on oath that he is the Publisher of The Prattville Progress, a newspaper published in Prattville, Autauga County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, a copy of which is hereto attached, which was published in the said The Prattville Progress for four consecutive weeks, namely: June 7th, 14th, 21st, and 28th, 1951.

HARRY M. DOSTER.

Sworn to and subscribed before me, this 5th day of July, 1951.

H. E. GIPSON, JR.  
Notary Public, Autauga County, Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 752, 751, 757 and 750—To the Committee on Local Legislation.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 351. To propose an Amendment to the Constitution of the State of Alabama, amending Section 180 of Article 8, of the Constitution of Alabama; to order an election for the qualified electors of the State of Alabama upon such proposed amendment to be held at the general election next succeeding the session of the Legislature at which this amendment is proposed and, to provide for notice to be given by the Governor for the holding of said election.

was read a third time at length as required by the Constitution and lost for failure to receive the required Constitutional majority.

Yeas 20; Nays 14.

Yeas:

Messrs.:	Golson	Locke (Perry)	Reneau	
Andrews	High	McCary	Robison	
Benson	Hollis	Norrell	Smith	
Fant	Jones	Phillips	Todd	
Faulkner	Locke (Choctaw)	Pinson	Wright	
Foster				—20

Nays:

Messrs.:	Clayton	Johnston (Mobile)	Sollie	
Bonner	Eddins	Quarles	Thagard	
Boutwell	Farmer	Richardson	Whatley	
Byars	Johnson (Chambers)	Skidmore		—14

The Bill:

S. 360. To provide that counties disburse gasoline tax moneys received from the state on a county-wide basis under the direction of county governing bodies and the supervision of a county engineer for the establishment, construction, repair and maintenance of county roads and bridges; powers and duties of county engineers.

was taken up.

Mr. Quarles offered the following substitute for the Bill, to-wit:

# SUBSTITUTE FOR S. B. 360

## A BILL TO BE ENTITLED AN ACT

To provide that counties disburse gasoline tax moneys received from the state on a county-wide basis under the direction of county governing bodies and the supervision of a county engineer for the establishment, construction, repair and maintenance of county roads and bridges; powers and duties of county engineers.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of each county shall supervise the disbursement of all gasoline tax revenue received from the state on a county-wide basis for the establishment, construction, repair and maintenance of county roads and bridges. Each county governing body shall possess original and unlimited jurisdiction and authority respecting county roads and bridges within their respective counties.

Section 2. The jurisdiction and authority of the county governing

body respecting roads and bridges shall not be delegated to nor exercised by any member of the governing body individually; such jurisdiction and authority shall be exercised solely by the governing body in joint session and by instructions to the county engineer appointed by and serving at the pleasure of the county governing body.

Section 3. The county engineer, whose salary shall be fixed by the county governing body, shall hold no other office or employment and shall devote his entire time to the duties of his office. He shall be qualified to practice engineering and surveying in Alabama and shall have had not less than three years' experience in the construction and maintenance of highways. The county engineer shall be required to execute bond with good and sufficient surety in the sum of five thousand dollars (\$5,000.00), which bond shall be payable to the county and be conditioned as other official bonds.

Section 4. The county engineer shall have the power, and it shall be his duty:

(1) To set up the county organization for the construction and maintenance of county roads and to construct and maintain them on the basis of the county as a unit without regard to districts or beat lines.

(2) To employ and discharge all county road and shop employees but he shall not have authority to discharge an employee except for cause.

(3) To keep and maintain necessary time books and make all payrolls which shall be submitted to that county governing body for approval and payment.

(4) The county governing body or a majority of said body shall have the authority and power to instruct and direct the county engineer as to what roads to construct in said county, either under the county program or the Farm-to-Market Road program.

(5) The salaries and the wage of day laborers are to be set and agreed upon by the governing body of said county.

(6) All purchases or lease rentals of road and bridge materials, tools, machinery, trucks, supplies, and equipment shall be bought by the governing body of said county while in joint session. Purchase orders for all material bought to be given by the Chairman of said governing body or other person designated by the board to conform with the Uniform Accounting System of the State of Alabama. Bids shall be taken on all purchases over five hundred (\$500.00) dollars, unless the governing body purchases at state prices based on the then state prices of the purchasing department of the State of Alabama.

Section 7. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Quarles moved that further consideration of the Bill and pending substitute be postponed until the next legislative day, and that 250 copies of the substitute be printed for the use of the Senate, which was adopted.

The Bill:

H. 406. To impose extra, new, and additional duties upon the members of the county governing body of Clarke County and to provide additional compensation for the performance thereof.

was taken up.

Mr. Locke (Choctaw) offered the following substitute for the Bill, to-wit:

## SUBSTITUTE FOR HOUSE BILL 406:

A BILL  
TO BE ENTITLED  
AN ACT

To impose extra, new, and additional duties upon the chairman or president and members of the County Governing Body of Clarke County, Alabama; and to provide additional compensation for the performance of such duties.

Be It Enacted by the Legislature of Alabama:

Section 1. That, in addition to all other duties now imposed upon them by law, the following extra, new, and additional duties are hereby imposed upon the chairman or president and the members of the County Governing Body of Clarke County, Alabama:

(a) The county governing body shall hold regular meetings on the second Monday in each month of each year; and shall hold special meetings at such times as they may be called by the chairman or president thereof, and at such other times as are now provided by law.

(b) The chairman or president of the county governing body shall exercise general superintendence over the construction and maintenance of all public buildings, roads, and bridges in the county, and shall make such inspections and investigations, from time to time, as are necessary to keep him informed as to the condition of the same.

(c) Each member of the county governing body shall superintend the construction and maintenance of all public roads and bridges in his district and shall make such reports of his activities to the county governing body, from time to time, as are necessary to keep the county governing body informed as to the condition of the public roads and bridges in his district.

Section 2. That, for the performance of the extra, new, and additional duties hereby imposed upon him, the chairman or president of the County Governing Body of Clarke County shall receive an annual salary of twelve hundred dollars (\$1,200.00), payable in equal monthly installments, out of the general fund of the county, which annual salary of twelve hundred dollars (\$1,200.00) shall be in addition to his compensation as now provided by law.

Section 3. That, for the performance of all other duties now imposed upon them by law and the performance of the extra, new, and additional duties hereby imposed upon them, the members of the County Governing Body of Clarke County shall each receive an annual salary of three thousand dollars (\$3,000.00), payable in equal monthly installments, out of the general fund of the county, which annual salary of three thousand dollars (\$3,000.00) shall be in lieu of all other compensation now provided by law.

Section 4. That neither the chairman or president or any member of the County Governing Body of Clarke County shall receive any mileage for travel performed within the county in the discharge of his duties.

Section 5. That the provisions of this Act are severable; and, if any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 7. That this Act shall become effective on the first day of the first month following the month in which it is passed and approved by the Governor or otherwise becomes a law.



Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Norrell	
Andrews	Fant	Hollis	Thagard	
Benson	Farmer	Jones	Todd	
Boutwell	Faulkner	Locke (Choctaw)	Whatley	
Byars	Foster	McCary	Wright	
Clayton	Golson			—21

*Nays:* —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Norrell	
Andrews	Fant	Hollis	Thagard	
Benson	Farmer	Jones	Todd	
Boutwell	Faulkner	Locke (Choctaw)	Whatley	
Byars	Foster	McCary	Wright	
Clayton	Golson			—21

*Nays:* —0

Mr. Johnson (Chambers) offered the following Senate Joint Resolution, to-wit:

By Mr. Johnson:

S. J. R. 46. Whereas it is the declared purpose of the Governor and an avowed policy of the Legislature to promote economy, efficiency and improved service in the State Government; now therefore,

Be it resolved by the Legislature of Alabama, both Houses thereof Concurring, That for the purpose of carrying out the policy hereinabove set forth there is established a nonpartisan commission, to be known as the "Commission on Reorganization of the State Government," which shall consist of not less than five nor more than fifteen members appointed by the Governor, whose duty it shall be to study and investigate the organization and methods of operation of all departments, bureaus, agencies, boards, commissions, offices, and establishments of the State Government and make recommendations to the Legislature for legislation—

(1) limiting expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions;

(2) eliminating duplication and overlapping of services, activities, and functions;

(3) consolidating services, activities, and functions of a similar nature;

(4) abolishing services, activities, and functions not necessary to the efficient conduct of government; and

(5) defining and limiting executive functions, services, and activities.

Be it resolved further, That

(1) The Commission, or any member thereof, may, for the purpose of carrying out the provisions hereof, hold such hearings and sit and act at

such times and places, and take such testimony, as the Commission or such member may deem advisable.

(2) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, statistics, and assistance for the purposes hereof; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, statistics, and assistance directly to the Commission, upon request made by the Chairman or Vice Chairman.

(3) The Governor shall name the Chairman and Vice Chairman of the Commission from among its members.

Which was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 58. To amend Section 763 of Title 51, Code of Alabama (1940) which relates to the sales tax.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as shown therein and as amended has passed the following Senate bills:

S. 59. To amend Section 766, Title 51, Code of Alabama (1940), which relates to the sales tax.

Also:

S. 67. To amend Section 771, Title 51, Code of Alabama (1940), which relates to suits brought for the recovery of sales taxes.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Reneau, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 59, the title of which is set out in the foregoing Message from the House.

#### SUBSTITUTE FOR S. B. 59

#### A BILL TO BE ENTITLED AN ACT

To amend Section 766 of Title 51 of the Code of Alabama (1940) relating to the incorrect payment of sales taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 766 of Title 51 of the Code of Alabama (1940) is amended to read:

"Section 766. GENERAL RULES GOVERNING INCORRECT PAYMENTS.—Whenever the department, in examining and auditing the records of any taxpayer, or from other information, shall ascertain that the amount, or amounts, previously paid by any taxpayer for any period, or periods, is incorrect, the department shall compute the correct amount of tax due, and if it appears that the amount paid by the taxpayer is in excess of the correct amount due, such excess shall be refunded to the taxpayer in accordance with law and under the rules and regulations of the department. If it appears that the amount paid by such taxpayer is less than the amount due, the department shall compute the amount of such deficiency and shall notify the taxpayer, and shall demand payment therefor. If the amount demanded is not paid within ten days from the date of such demand, or if the taxpayer does not request an extension of time within ten days from the date of such demand, the department shall make an assessment against the taxpayer of the amount due and shall add a penalty of one-half of one percent per month from the date such taxes or any part thereof became due. Provided, that the department may, if a good and sufficient reason is shown, waive or remit the penalty or a portion thereof. If within ten days from the date of notice of a deficiency the taxpayer requests in writing an extension of time, the department shall grant an extension of thirty days. If at the end of such extended period, the deficiency has not been paid, the department shall proceed with the assessment. Provided that if the department be of the opinion that there was a wilful or fraudulent intent by the taxpayer to evade the tax due, it may assess a penalty of twenty-five percent of the tax. Provided that upon appeal such action shall be reviewable."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choclaw)	Smith	
Boutwell	High	Norrell	Sollie	
Byars	Hollis	Reneau	Thagard	
Eddins	Johnson (Chambers)	Richardson	Whatley	
Fant	Johnston (Mobile)	Robison	Wright	
Farmer	Jones	Skidmore		—22

Nays:

—0

On motion of Mr. Thagard, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 67, the title of which is set out in the foregoing Message from the House:

#### SUBSTITUTE FOR S. B. NO. 67

#### A BILL TO BE ENTITLED AN ACT

To amend Section 771, Title 51, Code of Alabama (1940), which relates to suits brought for the recovery of sales taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 771, Title 51, Code of Alabama (1940), is amended to read as follows:

"Section 771. The tax herein levied shall constitute a debt due the State of Alabama and may be collected by civil suit, in addition to the methods herein provided, brought at any time within three years after the tax has become due and payable."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, but the provisions hereof shall not apply to or affect any case in which an assessment has been made prior to the effective date of this Act.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Foster	Locke (Perry)	Skidmore
Boutwell	High	Norrell	Smith
Byars	Hollis	Phillips	Sollie
Eddins	Johnson (Chambers)	Quarles	Thagard
Fant	Johnston (Mobile)	Reneau	Todd
Farmer	Jones	Richardson	Wright
Faulkner	Locke (Choctaw)	Robison	

—26

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 73. Relative to extending sympathy to John White and family on the death of Mrs. Addie Morgan White.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as shown therein and as amended has passed the following Senate Bills:

S. 271. To amend Section 258, Title 22, Code of Alabama (1940), relating to Marijuana.

Also:

S. 270. To amend Section 255 of Title 22, Code of Alabama (1940), relating to Narcotic Drugs and Poisons.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Wright, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 271, the title of which is set out in the foregoing Message from the House:

## SUBSTITUTE FOR S. B. 271

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 258, Title 22, Code of Alabama (1940), relating to Marijuana.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 258 of Title 22 of the Code of Alabama (1940) is amended to read as follows:

"Section 258. PENALTIES. Any person who violates any provision of this chapter shall be guilty of a felony, and upon conviction for the first offense shall be imprisoned for not less than two nor more than five years. For a second offense, or if, in case of a first conviction of violation of any provision of this chapter, the offender shall have been previously convicted of any violation of the laws of the United States or of any other state, territory or district relating to narcotic drugs or marijuana, the offender shall be imprisoned for not less than five nor more than ten years. For the third or subsequent offense, or if the offender shall have been previously convicted two or more times in the aggregate of any violation of the law of the United States or of any other state, territory or district relating to narcotic drugs or marijuana, the offender shall be imprisoned for not less than ten nor more than twenty years.

"Except in case of conviction for a first offense for violation of the provisions of this chapter, the imposition or execution of sentence shall not be suspended, and probation shall not be granted. Any person who is convicted of selling, delivering, offering to sell, bartering, or giving any marijuana, cannabis americana, or cannabis indica, or any cigar or cigarette made of or containing any marijuana, to a person under the age of eighteen years shall be given the maximum sentence for the offense as prescribed in this section."

Section 2. That all laws or parts of laws which are inconsistent with the provisions of this Act are hereby repealed.

Section 3. That this Act shall be effective and in force from and after its passage and approval by the Governor.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	Foster	Locke (Perry)	Skidmore
Boutwell	Golson	Norrell	Smith
Byars	High	Phillips	Sollie
Clayton	Hollis	Pinson	Thagard
Eddins	Johnson (Chambers)	Quarles	Todd
Fant	Johnston (Mobile)	Reneau	Whatley
Farmer	Jones	Richardson	Wright

—31

Nays:

—0

On motion of Mr. Wright, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 270, the title of which is set out in the foregoing Message from the House:

## SUBSTITUTE FOR S. B. 270

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 255 of Title 22, Code of Alabama (1940), relating to Narcotic Drugs and Poisons.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 255 of Title 22 of the Code of Alabama (1940) be amended to read as follows:

"Section 255. PENALTIES. Any person violating any provision of this chapter, except as otherwise herein provided, shall be guilty of a misdemeanor, and upon conviction for the first offense shall be fined not less than fifty dollars nor more than two hundred dollars and may be sentenced to hard labor for the county for not more than six months, and upon conviction for the second offense shall be fined not less than one hundred dollars or more than five hundred dollars and may be sentenced to hard labor for the county for not more than six months, and upon conviction for a subsequent offense shall be fined not less than five hundred dollars and shall be sentenced to hard labor for the county for not more than six months.

"Any person who possesses, sells, furnishes, or gives away any cocaine, alpha or beta eucaine, opium, morphine, heroin, or isonipecaine contrary to the provisions of this chapter, or obtains or attempts to obtain a narcotic drug by fraud, deceit, misrepresentation or subterfuge, or by the forgery or alteration of a prescription or written order, or by the concealment of a material fact, or by the use of a false name or the giving of a false address, is guilty of a felony, and upon conviction for the first offense shall be imprisoned for not less than two nor more than five years. For a second offense, or if the offender shall have been previously convicted of any violation of the laws of the United States or of any other state, territory or district relating to narcotic drugs or marijuana, the offender shall be imprisoned for not less than five years nor more than ten years. For a third or subsequent offense, or if the offender shall have been previously convicted two or more times in the aggregate of any violation of the law of the United States or of any other state, territory or district relating to narcotic drugs or marijuana, the offender shall be imprisoned for not less than ten nor more than twenty years. Except in the case of conviction for a first offense for violating the provisions of this chapter, the imposition or execution of sentence shall not be suspended, and probation shall not be granted.

"Any person convicted of selling, furnishing, or giving any cocaine, alpha, or beta eucaine, opium, morphine, heroin, or isonipecaine to a person under the age of eighteen years shall be given the maximum sentence for the offense as provided in this section."

Section 2. That all laws or parts of laws which are inconsistent with the provisions of this Act are hereby repealed.

Section 3. That this Act shall be effective and in force from and after its passage and approval by the Governor.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Farmer	Johnston (Mobile)	Robison
<b>Andrews</b>	Faulkner	Jones	Skidmore
Bonner	Foster	Locke (Choctaw)	Smith
Boutwell	Golson	Locke (Perry)	Sollie
Byars	High	Norrell	Thagard
Clayton	Hollis	Phillips	Todd
<b>Eddins</b>	Johnson (Chambers)	Reneau	Wright
Fant			

—28

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Faulk:

HOUSE JOINT RESOLUTION NO. 74. BE IT RESOLVED by the House of Representatives, the Senate concurring, that House Bill No. 366, which has been passed by both the House of Representatives and the Senate be known as the Faulk, White (Covington), Kendall, Summerlin, Solomon, Malone (Houston), Bassett, Belcher, Garrett, Stokes, Larkins, Jones, Thagard, Hollis, Farmer, Scruggs and Smith Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Smith, the Rules were suspended and the Resolution, H. J. R. 74, set out in the foregoing Message from the House, was adopted by the Senate.

## RECESS

At 12:15 P. M., on motion of Mr. Smith, the Senate took a recess until 2:30 o'clock this afternoon.

## AFTERNOON SESSION

## TWENTY-SECOND LEGISLATIVE DAY

TUESDAY, JULY 24, 1951

The Senate reassembled at 2:30 P. M., Lieutenant-Governor Allen presiding.

## ROLL CALL

Present:

Messrs.:	Farmer	Locke (Choctaw)	Robison
Andrews	Faulkner	Locke (Perry)	Skidmore
Benson	Foster	McCary	Smith
Bonner	Golson	Norrell	Sollie
Boutwell	High	Phillips	Thagard
Byars	Hollis	Pinson	Todd
Clayton	Johnson (Chambers)	Quarles	Whatley
Eddins	Johnston (Mobile)	Reneau	Wright
Fant	Jones	Richardson	

—34

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Fant, High, Quarles, Thagard and Clayton:

S. B. 519. Relating to taxation: To exempt feedstuffs from the State's sales and use taxes.

Committee on Finance and Taxation.

By Messrs. Fant, High, Quarles, Thagard and Clayton:

S. B. 520. Relating to taxation: To exempt insecticides from the State's sales and use taxes.

Committee on Finance and Taxation.

By Messrs. Fant, High, Quarles, Thagard and Clayton:

S. B. 521. Relating to taxation: To exempt fungicides from the State's sales and use taxes.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. B. 522. To amend Section 154 of Title 41 of the Code of Alabama 1940, as amended by Act No. 425, General Acts of Alabama, Regular Session 1949, page 607, approved August 23, 1949, to provide for expenses per day and traveling expenses.

Committee on Finance and Taxation.

### REPORTS OF COMMITTEES

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Clayton, Boutwell, Byars, Jones, Phillips, Eddins, Locke (Choctaw), Locke (Perry), Larkins, Pinson, McCary, Hollis, Farmer, Skidmore, Todd:

S. 460. To further provide for the general revenue of the State of Alabama and to fix the license and registration fee on certain motor vehicles.

By Messrs. Clayton, Boutwell, Byars, Jones, Phillips, Eddins, Locke (Choctaw), Locke (Perry), Larkins, McCary, Pinson, Hollis, Farmer, Skidmore and Todd:

S. 461. Relating to the distribution of the motor vehicle and trailer license tax; amending Section 713, Title 51, Code of Alabama (1940), as amended by Act No. 471, S. 305, ACTS OF ALABAMA, 1949, p. 688.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 622, said Governor's message being in words and figures as follows, to-wit:

### MESSAGE FROM THE GOVERNOR

To the House of Representatives

State Capitol

Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 622, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

July 24, 1951



To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 622, with a suggested executive amendment, as follows:

Amend House Bill No. 622 by adding immediately before Section 1 thereof, the following:

"Be It Enacted by the Legislature of Alabama:".

The suggested amendment is made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objections to the bill.

Respectfully,

GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 622, by a vote of Yeas 77, Nays 9, which was a majority of the whole number elected to the House, and said bill:

H. 622. To authorize the Clerks of all Courts not Courts of Record, in Counties having a population of 400,000 inhabitants or more, according to the last or any succeeding Federal Census, to destroy all papers filed in cases in Such courts after the expiration of six years from the date of the final judgment therein; but no authority is given herein to destroy the dockets, docket sheets or indices in such cases.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 77, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Clayton the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 622, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
Andrews	Foster	Locke (Perry)	Skidmore
Benson	High	McCary	Sollie
Boutwell	Hollis	Norrell	Thagard
Clayton	Johnson (Chambers)	Phillips	Todd
Eddins	Johnston (Mobile)	Quarles	Wright
Fant	Jones	Reneau	

—26

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	<b>Fant</b>	<b>Jones</b>	<b>Richardson</b>
<b>Andrews</b>	<b>Farmer</b>	<b>Locke (Choctaw)</b>	<b>Skidmore</b>
<b>Benson</b>	<b>Foster</b>	<b>Locke (Perry)</b>	<b>Sollie</b>
<b>Boutwell</b>	<b>High</b>	<b>Norrell</b>	<b>Thagard</b>
<b>Byars</b>	<b>Hollis</b>	<b>Phillips</b>	<b>Todd</b>
<b>Clayton</b>	<b>Johnson (Chambers)</b>	<b>Pinson</b>	<b>Whatley</b>
<b>Eddins</b>	<b>Johnston (Mobile)</b>	<b>Reneau</b>	<b>Wright</b>

—27

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 287, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

July 24, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 287, with a suggested executive amendment, as follows:

Amend said Senate Bill No. 287 by striking therefrom Section 3 in its entirety and substituting therefor, the following:

“Section 3. This act shall become effective on July 1, 1953.”

The suggested amendment is made with the full knowledge and approval and at the request of the author of said bill, and if adopted will remove my objections to the bill.

Respectfully,

GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Johnson (Chambers), the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, which amendment is set out in the foregoing Message from the Governor, to the Bill:

S. 287. Relating to public health; to make it a misdemeanor for any person, firm, or corporation to take, carry, transport, or remove a dead

human body from within the confines of this State unless the same has been embalmed or cremated.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Skidmore	
Andrews	Foster	Locke (Choctaw)	Smith	
Benson	Golson	Locke (Perry)	Sollie	
Bonner	High	McCary	Thagard	
Boutwell	Hollis	Norrell	Todd	
Clayton	Johnson (Chambers)	Pinson	Whatley	
Eddins	Johnston (Mobile)	Reneau	Wright	
Fant				—28

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Smith	
Benson	Foster	Locke (Choctaw)	Sollie	
Bonner	Golson	McCary	Thagard	
Boutwell	High	Norrell	Todd	
Clayton	Hollis	Pinson	Whatley	
Eddins	Johnson (Chambers)	Reneau	Wright	
Fant	Johnston (Mobile)	Skidmore		—26

Nays:

—0

Which was a majority of the whole number elected to the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 46, said Governor's message being in words and figures as follows, to-wit:

### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 46, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

July 24, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 46, with a suggested executive amendment, as follows:

Amend House Bill No. 46 by striking therefrom the words "preceding quarter", at the end of the first sentence in Section 1 (a) thereof, and inserting in lieu thereof the words "preceding month."

The suggested amendment is made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objections to the bill.

Respectfully,

GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 46, by a vote of Yeas 83, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 46. To provide for the reporting and recording of the names and addresses of persons receiving public assistance in each county and of the amounts received by them and the names, addresses and salaries of all employees of the county board of public welfare and the county department of public welfare; to make it unlawful to use such information for any purpose not directly connected with the administration of public assistance; and prescribing penalties for violations of the Act.

as amended by the amendment proposed by His Excellency, the Governor, was read a third time at length and passed by a vote of Yeas 81, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Clayton, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor to the bill, H. B. 46, the title of which and said executive amendment, is set out in the foregoing Message from the House.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Reneau
Andrews	Farmer	Jones	Richardson
Benson	Faulkner	Locke (Choctaw)	Skidmore
Bonner	Foster	Locke (Perry)	Smith
Boutwell	Golson	McCary	Sollie
Byars	High	Norrell	Thagard
Clayton	Hollis	Phillips	Todd
Eddins	Johnson (Chambers)	Pinson	Whatley

—31

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Farmer	Johnston (Mobile)	Richardson
Andrews	Faulkner	Jones	Robison
Benson	Foster	Locke (Choctaw)	Skidmore
Bonner	Golson	McCary	Sollie
Boutwell	High	Norrell	Thagard
Byars	Hollis	Phillips	Todd
Clayton	Johnson (Chambers)	Pinson	Whatley
Fant			—28

Nays:

—0

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 58. To amend Section 763 of Title 51, Code of Alabama (1940), which relates to the sales tax.

Also:

S. 59. To amend Section 766 of Title 51 of the Code of Alabama (1940) relating to the incorrect payment of sales taxes.

Also:

S. 67. To amend Section 771, Title 51, Code of Alabama (1940), which relates to suits brought for the recovery of sales taxes.

Also:

S. 270. To amend Section 255 of Title 22, Code of Alabama (1940), relating to Narcotic Drugs and Poisons.

Also:

S. 271. To amend Section 258, Title 22, Code of Alabama (1940), relating to Marijuana.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### BILLS ON THIRD READING

The Bill:

S. 108. To revise Articles 1, 2, 3 and 4 of Chapter 13 of Title 7 of the Code of Alabama (1940), which relate to exemptions from levy and sale

under process, claim and contest of exemptions, exemptions from administration and the payment of debts and setting apart exemptions to the widow and minor children, by amending Sections 625, 652, 653, 654, 656, 661, 662, 672, 673, 674, 683, 685, 686, 687, 689, 691, 692, 693, 697 and 705 and by repealing Sections 663, 688, 690 and 702.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

#### SUBSTITUTE FOR SENATE BILL NO. 108

##### A BILL TO BE ENTITLED AN ACT

To revise Articles 3 and 4 of Chapter 13 of Title 7 of the Code of Alabama (1940), as amended, which relate to exemptions from administration and the payment of debts and setting apart exemptions to the widow and minor children, by amending Sections 661, 662, 673, 674, 683, 685, 686, 687, 689, 691, 692, 693, 697, and 705 and by repealing Sections 663, 688, 690 and 702.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 661, 662, 673, 674, 683, 685, 686, 687, 689, 691, 692, 693, 697 and 705 of Title 7 of the Code of Alabama (1940), as amended, are amended to read as follows:

"Section 661. The homestead of any resident of this state, leaving surviving him at his death a widow and minor child or children, or either, with the improvements and appurtenances not exceeding in value four thousand dollars, and in area 160 acres, shall be exempt from administration and the payment of debts in favor of such widow and minor children, or either, in any event, during the life of the widow, or the minority of the child or children, whichever may last terminate; and the rents and profits of such homestead, if there be a widow and no minor child, shall inure to her benefit during her life; or if there be a minor child or children, and no widow, then to the benefit of such child, or children, during minority; or if there be both widow and minor child or children, then to their equal benefit during the life of the widow and the minority of the child or children. Except when the homestead is devised by will it shall vest in the widow and the minor children for the life of the widow or the minority of the children whichever may last terminate, without limit as to value, if there are no debts, or if the remainder of the estate is sufficient to pay all debts and claims against the estate, or if the remainder of the estate is insufficient to pay all claims against the estate and if the widow or minor children shall pay the remaining unsatisfied claims. In no case, however, shall the homestead exceed 160 acres in area.

"Section 662. If such decedent, at the time of his death, has no homestead exempt to him from levy and sale under process, his widow and minor child or children, or either, shall be, unless they have obtained the benefits of such exemption under section 654 of this title, entitled to homestead exemption out of any other real estate owned by him, which in value, area, interest and estate, shall conform to the provisions of the preceding section; and if such decedent at the time of his death has no homestead exempt to him from levy and sale under process, and has no other real estate out of which an exempt homestead can be carved, the widow and minor children, or either of them, may, by petition in the probate court or by bill in equity, have the homestead or any other real estate owned by the decedent at the time of his death sold, and four thousand dollars of the purchase money therefor applied by the court in accordance with the provisions of section 687; provided such petition or bill

in equity is filed before a final distribution of the assets of decedent's estate has been made. And in no case, and under no circumstances, shall the widow and the minor children, or either of them, be deprived of homestead or four thousand dollars in lieu thereof, if they or either of them apply therefor in manner as herein provided before final distribution of the decedent's estate. Provided, however, if the widow and minor child, or children, or either, have obtained the benefits of any exemption under section 654 of this title, the amount of exemption received under section 654 and the amount of exemption received under this section shall total only four thousand dollars.

"Section 673. When it appears from the report of the appraisers that the homestead exceeds in value four thousand dollars, or in area 160 acres, the probate court shall forthwith appoint three commissioners, who shall, as soon as practicable, not exceeding thirty days after their appointment, set off and allot, by metes and bounds, the homestead exempt, having regard to both the quality and value of the real estate, and to the selection of the widow, or, if there is no widow, or she fails to act, of the guardian of the minor child or children, if there is such guardian, and including the dwelling and appurtenances; and, within ten days thereafter, the commissioners shall return to the court in writing the homestead set off and allotted by them. If the homestead, after being reduced to its lowest practicable area, still exceeds four thousand dollars in value, thereby rendering it impracticable to allot and set it off, the commissioners shall report that fact to the court.

"Section 674. If, for more than twenty days after the grant of administration, the appraisers should fail to set apart the personal property exempt in favor of the widow and minor child or children, or either, or to appraise the homestead, or to make the report in reference to the homestead hereinbefore required, then, upon the written application of the widow, or of the guardian of the minor child or children, the probate court shall appoint three commissioners, who shall, as soon as practicable thereafter, not exceeding thirty days, set apart the personal property exempt and appraise the homestead in the manner required of the appraisers; and, if practicable, they shall also allot and set off the homestead exemption in the manner provided in the preceding section; and within ten days thereafter, they shall report to the court in writing the personal property set apart, with the value of each item thereof, and the homestead allotted and set off, with a full and accurate description of the same. If the homestead, after being reduced to its lowest practicable area, still exceeds four thousand dollars in value, thereby rendering it impracticable to allot and set it off, the commissioners shall report that fact.

"Section 683. When the report of the appraisers shows that the homestead does not exceed in value four thousand dollars, or in area 160 acres, exceptions may be filed thereto by the personal representative or other person in adverse interest; and if such exceptions are filed, proceedings may be had thereof, as in case of a report, allotting or setting apart the homestead.

"Section 685. When the homestead, after being reduced to its lowest practicable area, still exceeds four thousand dollars in value, and no exemption in lieu of homestead has been obtained, the widow and minor child or children, or either, may retain the possession of the homestead as thus reduced, free from the payment of rent, until the same shall be sold, or there is a division of the lands of the decedent; and, in the event of a sale of such homestead in the course of administration, it shall be sold separately from the other lands of the decedent, if there be other.

"Section 686. The homestead of a decedent may be sold by order of the court having jurisdiction of the estate, on petition of executor or administrator, when the same, after being reduced to its lowest area, exceeds four thousand dollars in value, and when it is necessary that the

same be sold for the payment of debts because the remainder of the estate is insufficient to pay all debts and claims against the estate and the widow or minor children fail to pay the deficiency within thirty days after notice of said petition.

"Section 687. The facts stated in the application to sell the homestead for setting apart of exemptions may be proved by the oral testimony of witnesses or by the records of the probate court; and if the facts stated in such application are proven to the satisfaction of the court by the evidence, the court may order the sale of said homestead, and notice of said sale shall be given as directed by Section 257 of title 61. Said homestead must be sold on such terms as the court may direct, not exceeding a credit of three years, but in no case shall the cash payment be less than four thousand dollars, and said sum of four thousand dollars shall, in the discretion of the court, be applied by the court to the purchase of a homestead for the benefit of such widow and minor children, or either of them, or be paid by the court to the widow for the use and support of said widow and minor child or children, or either, or if no widow, to the guardian of said minors, upon such provisions, conditions or limitations as to the court shall seem proper in the premises. Provided, that the widow or guardian shall give bond in double the amount of said sum with good and sufficient sureties to be approved by the court granting the decree, conditioned, as in the case of guardian and ward, that the said fund shall be faithfully kept and used exclusively for the support and maintenance of the widow and minor children, and for the education of the minor children, if any; and the widow or guardian, as the case may be, shall make an annual report to the court of all receipts and expenditures relating to said fund, which report is subject to the approval of the court.

"Section 639. Where a homestead right exists in property devised by will, the person or persons to whom said property is devised may clear the said property of such homestead right by paying to the personal representative in lieu of such right, the sum of four thousand dollars. Said sum shall be held and used by such personal representative in all respects as provided in section 687 of this title, where land incapable of allotment is ordered to be sold. Said personal representative shall report the payment of said funds and how he has disposed of same to the probate court having jurisdiction of said estate, which report must be filed and recorded.

"Section 691. When the purchase of such homestead is by or on behalf of the persons entitled to the homestead exemptions, the sum of four thousand dollars need not be actually paid to the representative, but, if the sale is confirmed, may be credited on the bid; and on the payment of the residue of such bid, a proper conveyance must be made to them as such purchasers, vesting the title in the persons entitled to the exemption, share and share alike, and be held and governed by section 661 of this title.

"Section 692. If, at such sale, or any subsequent sale, no bid in excess of four thousand dollars is received, the representative must report that fact to the court and thereupon the court must make an order directing the report to lie over thirty days, during which time any person interested in the sale may file written exceptions attacking the fairness of the sale, stating the grounds of such exceptions and upon the filing of such exceptions, a day must be appointed to hear the same, and ten days' notice thereof given and other proceedings had as provided in this article for the hearing of exceptions to a report allotting homestead, so far as such provisions are applicable.

"Section 693. If, on the hearing of such exceptions, the court is satisfied from the evidence that the failure to obtain a bid of more than four thousand dollars was due to a want of fairness in the conduct of the



sale or to fraud or collusion thereat, an order must be made directing a resale of such homestead; but if no exceptions are filed and sustained to such report, the court must make an order revoking the order of sale of the homestead and setting apart such homestead to the widow and minor child or children, or either, as the case may be.

"Section 697. If no exceptions are filed and sustained to such report of the commissioners setting apart exemptions the title to the real property so set aside shall vest in the widow and minors, share and share alike, but only during the life of the widow and minority of the children.

"Section 705. If no exceptions are filed and sustained to such report of the commissioners setting apart exemptions, and it is determined that the property set apart was all the property owned by the absentee husband at the time he left, and that he left less property than was exempt to widow and minor children of decedents, the title to the property so set aside, whether real or personal, shall vest for life of the deserted wife or the minority of the children whichever may last terminate."

Section 2. Sections 663, 688, 690 and 702 of Title 7 of the Code of Alabama (1940) are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 30; Nays 0.

**Yeas:**

Messrs.:	Fant	Jones	Robison
Andrews	Farmer	Locke (Choctaw)	Skidmore
Benson	Foster	Locke (Perry)	Smith
Bonner	Golson	McCary	Sollie
Boutwell	High	Norrell	Thagard
Byars	Hollis	Pinson	Todd
Clayton	Johnson (Chambers)	Reneau	Whatley
Eddins	Johnston (Mobile)	Richardson	—30

**Nays:** —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

**Yeas:**

Messrs.:	Fant	Jones	Robison
Andrews	Farmer	Locke (Choctaw)	Skidmore
Benson	Foster	McCary	Smith
Bonner	Golson	Norrell	Sollie
Boutwell	High	Phillips	Thagard
Byars	Hollis	Pinson	Todd
Clayton	Johnson (Chambers)	Reneau	Whatley
Eddins	Johnston (Mobile)	Richardson	—30

**Nays:** —0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Thomas:

H. J. R. 75. Be it Resolved by the House, the Senate Concurring, that Senate Bills 270 and 271 be known as the Wright, McLendon, Davis, Roberts, Denton, Thomas Bills.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 75, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Sellers, Fite (Marion), Merrill, Bassett, Wallace, Kendall, Davis and Belcher:

H. 739. To authorize and make provision for the incorporation in any county in this state of a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating certain buildings designed for use by the county in which the corporation is organized; to provide for the election of its directors and officers; to specify its powers; to authorize it and the county in which it is organized to enter into leases covering the properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building and office facilities for the courts, jail, officers, departments and agencies of the county performing governmental duties to be an essential governmental function of the county and the rentals incurred by the county for such purpose to be a necessary governmental operating expense of the county; to authorize the issuance by such corporation of interest bearing revenue warrants payable solely out of the revenues from the projects with respect to which they are issued; to specify certain provisions of said warrants; to provide that said warrants may be secured by pledge of such revenues, lease and rentals and by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said warrants may be put; to authorize the refunding of said warrants; to provide for remedies in the event of any default; to exempt from taxation the properties of such corporation and the income from the leases made with respect thereto, said warrants and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the county in said warrants; to specify the period of time after publication of notice of the adoption of the resolution authorizing said warrants within which actions and defenses may be asserted respecting said warrants, pledge and mortgage; to authorize the transfer to such corporation, with or without consideration, by the county of properties owned by the county and which are not necessary for the conduct of the public functions of the county; to provide for the vesting in the county of the title to the properties of such corporation upon payment of its warrants; and to provide for dissolution of the corporation.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message

from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 939—To the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 406. To impose extra, new, and additional duties upon the members of the county governing body of Clarke County and to provide additional compensation for the performance thereof.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House:

Messrs. Mathews, McNider and Oakley.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Boutwell the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 406, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Conferees on the part of the Senate Messrs. Locke (Choctaw), Locke (Perry) and Faulkner.

#### RESOLUTION

Mr. Whatley offered the following Senate Joint Resolution, to-wit:

S. J. R. 47. Be it resolved by the Senate, the House of Representatives Concurring, that Senate Bills 58, 59 and 67, which have passed both Houses, each be designated and be known as "Reneau, Thagard, Miller and Bush" bill.

On motion of Mr. Whatley the Rules were suspended and the Resolution adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Engelhardt:

H. 247. To provide further for purging the registration lists of the names of those electors who have died, become insane, or convicted of crime, or otherwise disqualified as electors under the provisions of the Constitution, by providing for the re-registration of electors registered on or after January 1, 1903.

Also:

By Mr. Martin:

H. 744. Relating to prisons and prisoners; amending Section 22 of Title 45, Code of Alabama (1940); providing for the arrest of escaped convicts.

Also:

By Mr. Martin:

H. 745. Relating to prisons and prisoners; amending Section 153 of Title 14, Code of Alabama (1940).

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 247—To the Committee on Privileges and Elections.

H. B.'s 744 and 745—To the Committee on Public Welfare and Correctional Institutions.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Summerlin:

H. 178. To amend Section 10, Title 34, Code of Alabama (1940), which relates to the consent of parents upon marriage of a male under twenty-one or a female under eighteen years.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 178—To the Committee on Judiciary.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 64. To propose an amendment to the Constitution of Alabama.

Was read a third time at length as required by the Constitution and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Foster	Locke (Perry)	Robison
Andrews	Golson	McCary	Skidmore
Bonner	High	Norrell	Smith
Boutwell	Hollis	Phillips	Sollie
Clayton	Johnson (Chambers)	Pinson	Thagard
Eddins	Johnston (Mobile)	Reneau	Todd
Fant	Jones	Richardson	Whatley
Farmer	Locke (Choctaw)		

—29

Nays:

—0

## The Bill:

H. 505. To submit a constitutional amendment to the qualified electors of the State of Alabama at an election to be held at the next general election after the adjournment of the regular session of 1951 of the Legislature of the State of Alabama or at the first special election held in the State of Alabama after three months after the final adjournment of the regular session of the 1951 Legislature of the State of Alabama, whichever is earlier, for the purpose of authorizing the County of Morgan, outside of the corporate limits of the City of Decatur, to levy and collect in all of Morgan County, Alabama, except in the corporate limits of the City of Decatur, a special school tax not to exceed 75c on each \$100.00 of taxable property to be used solely for public school purposes in all of Morgan County, except in the City of Decatur, when authorized by the qualified voters of all of Morgan County, except the City of Decatur, and providing when the same shall apply to the City of Hartselle.

Was read a third time at length as required by the Constitution and passed.

Yeas 26; Nays 1.

## Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Skidmore	
Andrews	Foster	McCary	Smith	
Benson	High	Norrell	Thagard	
Boutwell	Hollis	Pinson	Todd	
Clayton	Johnson (Chambers)	Reneau	Whatley	
Eddins	Johnston (Mobile)	Richardson	Wright	
Fant	Jones	Robison		—26
Nay:	Mr. Bonner			—1

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Meeks, Beatty, Baker, Romine:

H. 442. Relating to taxation: To exempt from the computation of the amount of the sales tax levied by Section 753, Title 51. Code of Alabama (1940), the gross proceeds of sales of peanuts, peanut products, candy and chewing gum sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not exceeding ten cents (10¢) per sale, provided that the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10¢) per sale.

And ordered same sent forthwith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 442—To the Committee on Finance and Taxation.

## BILLS ON THIRD READING RESUMED

## The Bill:

S. 238. To create and establish the Alabama Agricultural and Industrial Exhibit Commission, to prescribe the duties of said Commission, and to appropriate annually to said Commission out of the general funds of the State of Alabama the sum of Fifteen Thousand Dollars (\$15,000.00), which said sum the said Commission, acting with and through the Alabama State Fair Authority, a public corporation, shall use in providing, or paying, premiums, rewards or prizes for beef cattle, dairy cattle, sheep, goats, hogs and other livestock; agricultural shows or exhibits; fine arts (art exhibits, including portraits, paintings, drawings, sculpture and molding of pottery); exhibits of an educational character portraying important phases of community life; educational shows and exhibits for participation therein by students; Home Economics, including cooking, sewing, preserving and other activities of women; exhibits for 4-H Clubs, Future Farmers of America, and Future Homemakers of America; Poultry Shows or exhibits; Rabbit shows or exhibits; Dog shows or exhibits; and Flower Shows or exhibits.

As amended by the amendment adopted on the twenty-first legislative day, which said amendment is set out in the Journal of the Senate for the twenty-first legislative day, was read a third time at length and passed.

Yeas 26; Nay 1.

## Yeas:

Messrs.:	Fant	Phillips	Smith	
Andrews	Farmer	Pinson	Sollie	
Benson	Foster	Quarles	Thagard	
Bonner	Golson	Reneau	Todd	
Boutwell	Hollis	Richardson	Whatley	
Clayton	Johnson (Chambers)	Robison	Wright	
Eddins	Jones	Skidmore		—26

Nay: Mr. Johnston (Mobile) —1

## The Bill:

S. 203. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 27; Nay 1.

## Yeas:

Messrs.:	Fant	Locke (Choctaw)	Robison	
Andrews	Foster	Norrell	Skidmore	
Bonner	Golson	Phillips	Smith	
Boutwell	Hollis	Pinson	Sollie	
Byars	Johnson (Chambers)	Quarles	Todd	
Clayton	Johnston (Mobile)	Reneau	Whatley	
Eddins	Jones	Richardson	Wright	

—27

Nay: Mr. Benson —1

## The Bill:

S. 230. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Robison	
Andrews	Farmer	Locke (Choctaw)	Skidmore	
Benson	Faulkner	Norrell	Smith	
Bonner	Foster	Phillips	Sollie	
Boutwell	Golson	Pinson	Todd	
Byars	Hollis	Reneau	Whatley	
Clayton	Johnson (Chambers)	Richardson	Wright	
Eddins	Johnston (Mobile)			—29

Nays: —0

The Bill:

S. 296. To amend Section 5 of Act No. 329, H. 714 approved July 1, 1943 (General Acts of Alabama, 1943, page 311) known as the "Farm to Market Road Act of 1943," as amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 27; Nays 0.

Yeas:

Messrs.:	Eddins	Johnson (Chambers)	Richardson	
Andrews	Fant	Johnston (Mobile)	Robison	
Benson	Faulkner	Jones	Skidmore	
Bonner	Foster	Locke (Choctaw)	Smith	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Quarles	Thagard	
Clayton	Hollis	Reneau	Todd	
				—27

Nays: —0

The Bill:

S. 260. To make an appropriation for the support of the Council of State Governments.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 28; Nays 2.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison	
Andrews	Foster	McCary	Skidmore	
Benson	High	Phillips	Smith	
Boutwell	Hollis	Pinson	Sollie	
Byars	Johnson (Chambers)	Quarles	Thagard	
Clayton	Johnston (Mobile)	Reneau	Todd	
Eddins	Jones	Richardson	Wright	
Fant				—28

Nays: Messrs. Bonner and Golson —2

The Bill:

S. 394. For the relief of Walter Dewey Martin of Tuscaloosa County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 27; Nays 4.

*Yeas:*

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
Andrews	Foster	Locke (Perry)	Robison
Benson	High	McCary	Skidmore
Byars	Hollis	Norrell	Smith
Clayton	Johnson (Chambers)	Pinson	Sollie
Eddins	Johnston (Mobile)	Quarles	Thagard
Fant	Jones	Reneau	Wright

—27

*Nays:*

Messrs.:	Boutwell	Golson	Whatley
Bonner			

—4

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 287. Relating to public health; to make it a misdemeanor for any person, firm, or corporation to take, carry, transport, or remove a dead human body from within the confines of this State unless the same has been embalmed or cremated.

By a vote of a majority of the whole number elected to the House, said vote being; Yeas 70; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being; Yeas 76; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, Jr.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Whatley:

S. J. R. 47. Relating to the naming of Senate Bills 58, 59 and 67.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs: White (Cullman), Denton, Brannan, McCoy, Harvey, De-



**Sears, Romine and Simpson:**

H. 467. To provide for the inspection and grading of fresh fruits and vegetables grown in Alabama; prescribing the standard grade or grades for such fruits and vegetables; providing for the administration of the Act by the Commissioner of Agriculture and Industries and the Department of Agriculture and Industries; and prescribing penalties for violations of the Act.

Also:

By Mr. Martin:

H. 747. Relating to prisons and prisoners; making it a felony for three or more convicts or prisoners to do an unlawful act upon a common cause, or make advances together toward the commission thereof, and prescribing the penalty therefor.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

**HOUSE MESSAGE**

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 467—To the Committee on Agriculture.

H. B. 747—To the Committee on Public Welfare and Correctional Institutions.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House bill:

By Mr. Edgar:

H. 701. To amend Section 1 of Act No. 288, S. 161, approved July 7, 1945 (General Acts of Alabama, 1945, page 478) entitled "An Act To provide Judicial Officers of the State; to designate them as Supernumerary Circuit Judges; to provide the conditions under which a Judge of the Circuit Court may become a Supernumerary Circuit Judge; to prescribe the qualifications, tenure of office, duties, powers, authority, compensation, and the method of removal from office of such Supernumerary Circuit Judges, and to appropriate funds for the payment of such compensation."

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

**HOUSE MESSAGE**

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 701—To the Committee on Finance and Taxation.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 64. To propose an amendment to the Constitution of Alabama.

Also:

H. 505. To submit a constitutional amendment to the qualified electors of the State of Alabama at an election to be held at the next general election after the adjournment of the regular session of 1951 of the Legislature of the State of Alabama or at the first special election held in the State of Alabama after three months after the final adjournment of the regular session of the 1951 Legislature of the State of Alabama, whichever is earlier, for the purpose of authorizing the County of Morgan, outside of the corporate limits of the City of Decatur, to levy and collect in all of Morgan County, Alabama, except in the corporate limits of the City of Decatur, a special school tax not to exceed 75¢ on each \$100.00 of taxable property to be used solely for public school purposes in all of Morgan County, except in the City of Decatur, when authorized by the qualified voters of all of Morgan County, except the City of Decatur, and providing when the same shall apply to the City of Hartselle.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Martin:

H. 746. Relating to prisons and prisoners; making it a felony for any convict or prisoner wilfully or maliciously to injure or destroy any building or property belonging to the State of value in excess of twenty-five dollars and prescribing the penalty therefor.

Also:

By Mr. Russell:

H. 389. To amend Section 428, of Title 37, of the Code of Alabama of 1940.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 746—To the Committee on Public Welfare and Correctional Institutions.

H. B. 389—To the Committee on Municipalities and Municipal Organizations.

## REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the twenty-second legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the twenty-second legislative day approved by the Senate.

## ADJOURNMENT

At 4:15 P. M., on motion of Mr. Richardson, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Thursday, July 26, 1951, at 10 o'clock A. M.

Yeas 19; Nays 12.

Yeas:

Messrs.:	High	McCary	Smith	
<b>Andrews</b>	Hollis	Pinson	Sollie	
<b>Eddins</b>	Johnson (Chambers)	Quarles	Thagard	
<b>Foster</b>	Johnston (Mobile)	Reneau	Todd	
<b>Golson</b>	Jones	Richardson	Whatley	—19

Nays:

Messrs.:	Byars	Locke (Choctaw)	Robison	
<b>Benson</b>	Fant	Locke (Perry)	Skidmore	
<b>Bonner</b>	Faulkner	Norrell	Wright	—12
<b>Boutwell</b>				

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 TWENTY-THIRD LEGISLATIVE DAY

THURSDAY, JULY 26, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

## PRAYER

The Session was opened with prayer by Rev. Murray E. Love, Pastor, Capitol Heights Presbyterian Church.

## ROLL CALL

Presnt:

Messrs.:	Clayton	Golson	Larkins
<b>Andrews</b>	<b>Eddins</b>	High	Locke (Choctaw)
<b>Benson</b>	Fant	Hollis	Locke (Perry)
<b>Bonner</b>	Farmer	Johnson (Chambers)	McCary
<b>Boutwell</b>	Faulkner	Johnston (Mobile)	Norrell
<b>Byars</b>	Foster	Jones	Phillips

Pinson  
Reneau  
Richardson

Robison  
Skidmore  
Smith

Sollie  
Thagard  
Todd

Whatley  
Wright

—34

## JOURNAL

On motion of Mr. Phillips, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Jones:

S. B. 523. Relating to dentists and dentistry; amending Section 83 of Title 46, Code of Alabama (1940).

Committee on Public Health.

By Mr. Johnson (Chambers):

S. B. 524. To provide for a commission to study and make recommendations for economy and more efficiency in State Government.

Committee on Judiciary.

By Mr. Boutwell:

S. B. 525. To amend Section 283, Title 13, Code of Alabama (1940), which relates to failure of a probate judge, clerk of the circuit court, or register to take, keep and bind newspapers.

Committee on Judiciary.

By Mr. Boutwell:

S. B. 526. To require the reporting of certain deaths to the State Toxicologist; and requiring him to investigate the circumstances of such deaths and to perform an autopsy if the facts and circumstances of the death indicate the necessity therefor and to report his findings.

Committee on Judiciary.

By Mr. High:

S. B. 527. To provide additional duties for the judge of county courts, and additional duties for the constable of county courts, where such county courts have been created by the Legislature of Alabama in all counties in Alabama having a population of not less than eighty thousand inhabitants and not more than ninety four thousand inhabitants, according to the preliminary count of the 1950 Federal census or any subsequent Federal census; and to provide compensation or salary for the additional duties to be performed by said judge; and to provide compensation or pay for the additional duties to be performed by the constable of said court and to compensate or pay said constable for services rendered for attendance upon said court since the first Monday after the second Tuesday in January, 1949, and to regulate or provide for the issuance of executions by the clerk of said courts.

Committee on Local Legislation.

By Mr. Skidmore:

S. B. 528. Relating to Tuscaloosa County: Authorizing and requiring the governing body of Tuscaloosa County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall, subject to the county civil service system, select, fix the compensation of, and have the right to discharge their respective clerks, deputies and assistants; providing that the maximum amount of the combined salaries of clerks, deputies and assistants in each of such offices shall be determined by the county governing body; and providing that the salaries and compen-

sation provided under the provisions hereof shall be in lieu of all other compensation.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TUSCALOOSA

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Tuscaloosa County: Authorizing and requiring the governing body of Tuscaloosa County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall, subject to the county civil service system, select, fix the compensation of, and have the right to discharge their respective clerks, deputies and assistants; providing that the maximum amount of the combined salaries of clerks, deputies and assistants in each of such offices shall be determined by the county governing body; and providing that the salaries and compensation provided under the provisions hereof shall be in lieu of all other compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue, or like governing body, of Tuscaloosa County, Alabama, is required, authorized and empowered to provide sufficient equipment, supplies, clerks, deputies and other assistants to the probate judge, the tax assessor, the tax collector, the sheriff and the clerk of the circuit court, of Tuscaloosa County for the efficient operation of their respective offices; but said probate judge, tax assessor, tax collector, sheriff and clerk of the circuit court shall, subject to the civil service system, select, and fix the compensation of, such clerks, deputies and assistants for their respective offices; provided, however, that the combined salaries or compensation of said clerks, deputies and assistants in each of said offices shall not exceed an amount deemed to be reasonable and necessary by said Board of Revenue, or like governing body, of Tuscaloosa County for the efficient operation of each of said offices. Said allowances for salaries or compensation shall be fixed by Resolution of said Board of Revenue or like governing body, and may be changed at any time by similar Resolution.

Section 2. Said probate judge, tax assessor, tax collector, sheriff and clerk of the circuit court shall, subject to the county civil service system, have the right to discharge their respective clerks, deputies, and assistants. The salaries or compensation of said clerks, deputies and assistants shall be paid in equal monthly installments out of the general funds of Tuscaloosa County, upon separate warrants drawn in the same manner as other employees of Tuscaloosa County are paid.

Section 3. Immediately upon the passage and approval of this Act, it shall be the duty of the Board of Revenue of Tuscaloosa County to ascertain, determine and fix by Resolution the amount of the combined salaries or compensation to be paid to the clerks, deputies or other assistants for each of said officers.

Section 4. The provision herein made for salaries or compensation of said deputies, clerks, or other assistants in said offices shall be in lieu of all other provisions now made by law for the payment of such salaries

or compensation. Nothing contained in this Act shall be construed to repeal or modify any of the provisions of Act No. 357, S. 468, approved August 9, 1949 (Acts of Alabama, 1949, page 524).

Section 5. All laws and parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 6. This Act shall take effect upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 11, June 18, June 25, and July 2, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me this 17th day of June, 1951.

LEO J. JONES,  
Notary Public, State at Large, Alabama.

By Mr. Skidmore:

S. B. 529. Relating to motor vehicles; to require the periodic inspection of motor vehicles to determine if they may be safely operated upon the highways, and to prohibit the operation thereon of unsafe vehicles; providing for the administration of the Act by the Department of Public Safety; providing for the distribution of the funds collected under the administration of the Act; and prescribing penalties for violations of the Act.

Committee on Finance and Taxation.

By Mr. Phillips:

S. B. 530. To appropriate \$120,000 annually during the next two fiscal years to The Armory Commission of Alabama to be used in providing necessary armory facilities for Alabama National Guard units, including the matching of Federal funds made available to the State of Alabama for such purpose.

Committee on Finance and Taxation.

By Mr. Whatley:

S. B. 531. To provide for the method of expending the appropriation made by subsection (19) of Section V in Senate Bill No. 228.

Committee on Finance and Taxation.

By Mr. Larkins:

S. B. 532. To amend Section 1 of Act No. 634, H. 1057, approved July 10, 1940, entitled, "An Act, to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict herewith."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
PIKE COUNTY

## NOTICE

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage and enactment of a bill substantially as follows, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 1 of Act No. 634, H. 1057, approved July 10, 1940, entitled, "An Act, to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict herewith."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of Act No. 634, H. 1057, approved July 10, 1940, entitled, "An Act to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict herewith.", be and the same is hereby amended to read as follows:

"Section 1. The Court of County Commissioners of Pike County, is hereby authorized in its discretion to provide an additional deputy sheriff for Pike County in addition to the deputies now provided by law who shall be appointed by the sheriff of said County and who shall hold said office at the pleasure of said sheriff, and shall receive a salary of Eighteen Hundred Dollars (\$1800) per annum, to be paid in twelve equal monthly installments out of the general fund of said County."

Section 2. That all laws or parts of laws, general, special, or local in conflict herewith are, to the extent of such conflict repealed.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

6-28-1taw4tc

Before me, Martha Jordan, a Notary Public in and for said County and State, personally appeared Glenn Jones who is known to me and who being by me first duly sworn on oath says that he is Publisher of The Troy Messenger, a newspaper of general circulation, published in the City of Troy, Pike County, Alabama and that the notice, a true copy of which appears hereinabove, was published once a week for four consecutive weeks in said newspaper and appeared in the issues of said newspaper on the following dates: June 28, 1951, July 5, 1951, July 12, 1951 and July 19, 1951.

GLENN JONES,  
Publisher, The Troy Messenger.

Sworn to and subscribed before me this 20th day of July, 1951.  
MARTHA JORDAN,  
Notary Public.

By Mr. Johnston (Mobile):

S. B. 533. To Provide for the Creation of a Commission on Uniform State Laws, the Appointment of Commissioners Thereto, and Making an Appropriation for the Same.

Committee on Finance and Taxation.

By Messrs. Pinson, Jones, Hollis, Faulkner, Benson, Andrews, Larkins, Golson, Farmer, Reneau, Locke (Choctaw), McCary, Sollie, Foster, Johnson (Chambers), Locke (Perry), High, Fant, Norrell, Phillips, Whatley, Wright, Smith, Skidmore and Todd:

S. B. 534. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics, agriculture, and medical technology.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. B. 535. To make an appropriation to the Alabama Alcoholic Beverage Control Board for the operation of the Alcoholic Beverage Control Board Stores.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. B. 536. To make an appropriation to the Alabama Alcoholic Beverage Control Board for the operation of the Beer Tax and License Division.

Committee on Finance and Taxation.

#### REPORTS OF COMMITTEES

Mr. Foster, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time, and placed on the calendar, to-wit:

By Mr. Boutwell:

S. 476. Proposing an amendment to the Constitution of Alabama: to prohibit the Legislature and every county, municipality or other political subdivision of the State from increasing the salary, fees or compensation of any officer of the State or of any county, municipality or other political subdivision of the State, who is elected or appointed for a fixed term, during the term for which he is elected or appointed.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Benson:

S. 422. To propose an amendment to the Constitution relating to the levy and collection of a special property tax for the construction, alteration, and upkeep of public school buildings in Jackson County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Fant:

S. 421. Proposing an amendment to the Constitution relative to Cullman County, and ordering an election thereon.

The above Bill was read a second time at length as required by the Constitution.

Mr. Foster, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Mathews and McNider (With substitute):

H. 14. To propose an amendment to the Constitution of Alabama



relative to regulating the fees, commissions, allowances, and salaries of any officer of Clarke County; and ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

The above Bill was read a second time at length as required by the Constitution.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment and it was read a second time and placed on the calendar, to-wit:

By Messrs. Thagard and Boutwell (With amendment):

S. 439. To eliminate the reckless and irresponsible driver of motor vehicles from the highways of the State of Alabama; to provide for the giving of security and proof of financial responsibility by owners and operators of motor vehicles; to define words and phrases in said Act; to provide for the administration and enforcement of said Act by the Director of Public Safety of the State of Alabama and to prescribe his powers and duties; to provide for an operating record; to provide for appeals from his orders and decisions; to provide for the making of reports following a motor vehicle accident, and giving of security in case of a motor vehicle accident involving property damage in excess of \$50.00 or personal injuries to, or death of any person; to provide for certain exceptions where evidence of existing insurance is furnished; to provide certain further exceptions to requirements of the Act; to provide for the suspension of licenses and registration of motor vehicles, and duration thereof; to provide that the Act shall apply to non-residents, unlicensed drivers and unregistered motor vehicles, and shall apply in certain instances to accidents in other states; to provide the form and amount of security; to provide for the custody, disposition and return of security; to provide matters not to be evidence in civil suits; to provide for reports on the non-payment of judgments; to provide for the suspension of licenses and registration for non-payment of judgments; to provide for the suspension until judgment paid or until proof given; to provide for the payment of judgments by installments; to provide for the proof required to be furnished upon certain convictions; to provide alternative methods of giving proof of financial responsibility, including a certificate of any insurance carrier that has in effect a motor vehicle liability policy; to provide certificates furnished by non-residents, owners of motor vehicles in the state; to define a motor vehicle liability policy; to provide for cancellation or termination of policies, and that this act shall not affect other policies; to provide for bond for proof of financial responsibility, amount of security, where deposited and type of security; to provide for money or securities as proof of financial responsibility; to prohibit a transfer of registration to defeat purposes of Act; to provide penalties for the violation of the provisions of this Act; to provide for surrender of licenses and registration; to provide for self-insurers; to provide Act not to apply to any motor vehicle owned by the United States, State of Alabama, or any political subdivision of this State, or any municipality; to provide that certain provisions of Act not to apply to certain motor vehicles subject to supervision and regulation of the Alabama Public Service Commission; to provide certain powers and duties of the Superintendent of Insurance with respect to approval of plans for equitable apportionment among insurance companies of applicants for insurance who cannot obtain insurance by ordinary methods, and provide for appeals to the courts from decisions of said Superintendent of Insurance respecting such plans; to provide that this Act shall not prevent use of other process; to provide for uniformity of interpretation; to provide that if part of Act be held unconstitutional it shall not affect remaining parts of Act; to provide that this Act may be cited as the Motor Vehicle Safety-Responsibility Act; to au-

thorize the Director of Public Safety, subject to provision of the Merit System, to appoint employees necessary to discharge the duties imposed by this Act; to declare that this Act is supplemental to the State Motor Vehicle Laws; to repeal Act No. 276, approved August 6, 1947, Acts 1947, Page 121, known as the Alabama Motor Vehicle Responsibility Act; to appropriate the sum of \$100,000.00 or so much thereof as may be necessary for the purposes set forth in this Act; to provide the effective date of this Act and a repeal of all acts and parts of acts in conflict herewith.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Johnston (Mobile):

S. 497. To authorize the Governor, the Director of the Department of Industrial Relations, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State upon which it shall, at a cost not to exceed three million, two hundred fifty thousand dollars, construct, operate, and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to any Department, Board, Bureau, Commission, or Agency of the State; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by Departments, Boards, Bureaus, Commissions, and agencies of the State of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities; and to repeal Act No. 146, approved June 23, 1945, General Acts of 1945, page 182, Act No. 147, approved June 23, 1945, General Acts of 1945, page 188 and as amended by Act No. 647, approved October 9, 1947, General Acts of 1947, page 500, Act No. 557, approved September 8, 1949, General Acts of 1949, page 868, and Act No. 558, approved September 8, 1949, General Acts of 1949, page 869, and all other laws or parts of laws in conflict herewith.

By Mr. Johnston (Mobile):

S. 472. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

By Mr. Brown:

H. 523. Authorizing and directing the State Military Department to make a payment for the relief of Mr. and Mrs. Ralph Coleman Griffin, Sr.

By Mr. Selden:

H. 426. To amend Section 63 of Title 36 of the Code of Alabama (1940), relating to driver's licenses.

By Messrs. Kendall, Kaul, Faulk and Sellers:

H. 60. To impose extra, new, and additional duties upon the Chief

Examiner of Public Accounts; to provide additional compensation for the performance of the extra, new, and additional duties imposed upon him; and to provide for the payment of additional compensation for the performance of such duties.

By Mr. Clayton:

S. 494. To amend Section 714, Title 51, Code of Alabama 1940, which relates to the fees of probate judges for issuing licenses for operating motor vehicles.

By Mr. Clayton:

S. 495. To create a fund in the State Treasury to be known as the Mansion Fund; to define the purposes for which said fund may be used and the manner of making withdrawals therefrom; to provide for the appropriation thereto; to repeal all laws in conflict herewith; and to provide the effective date of this Act.

By Mr. Clayton:

S. 492. To abolish the fund in the State Treasury known as the Governor's Contingent Fund and to repeal Section 179, Title 55, Code of Alabama 1940, which relates to the Governor's Contingent Fund.

By Messrs. Meeks, Beatty, Baker and Romine:

H. 442. Relating to taxation: To exempt from the computation of the amount of the sales tax levied by Section 753, Title 51, Code of Alabama (1940), the gross proceeds of sales of peanuts, peanut products, candy and chewing gum sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not exceeding ten cents (10c) per sale, provided that the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale.

By Messrs. Richardson, Andrews, Jones, Byars, Faulkner, Thagard, Smith, High, Fant, Robison, Sollie, Todd, Skidmore, Larkins, Farmer, Eddins, Norrell, Clayton, Pinson, Golson and Hollis:

S. 159. To impose extra, new, and additional duties upon the Secretary of the Senate and the Clerk of the House, providing additional compensation for the performance of such duties.

By Mr. Robison:

S. 513. To amend Section 65, Title 51, Code of Alabama 1940.

By Mr. Ward:

H. 185. To amend Title 51, Section 733, Code of Alabama 1940, as amended, which relates to the transporting and distributing of tobacco products where the person or the concerns provided for therein does not have a privilege license as is prescribed in Sections 484 and 485 of this Title.

By Mr. Ward:

H. 186. To amend Title 51, Section 573, Code of Alabama 1940, as amended, which relates to the license tax on playing cards.

By Messrs. Faulkner, Byars and Boutwell:

S. 501. To impose extra, new, and additional duties upon the State Superintendent of Education and to provide additional compensation for the performance thereof.

By Mr. Wright:

S. 56. To fix the salary of the State Health Officer.

By Messrs. Solomon, Adams (Dale), Mathison, Thomas, Kendall, White (Covington), Faulk, Butler, Englehardt and Ward:

H. 385. To amend Section 785, Title 51, Code of Alabama (1940), which relates to the discount allowed for collection of sales taxes.

Mr. Pinson, Chairman of the Standing Committee on Public Welfare and Correctional Institutions, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Martin:

H. 744. Relating to prisons and prisoners; amending Section 22 of Title 45, Code of Alabama (1940); providing for the arrest of escaped convicts.

By Mr. Martin:

H. 746. Relating to prisons and prisoners; making it a felony for any convict or prisoner wilfully or maliciously to injure or destroy any building or property belonging to the State of value in excess of twenty-five dollars and prescribing the penalty therefor.

By Mr. Martin:

H. 747. Relating to prisons and prisoners; making it a felony for three or more convicts or prisoners to do an unlawful act upon a common cause, or make advances together toward the commission thereof, and prescribing the penalty therefor.

Mr. Jones, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. High:

S. 466. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the preliminary count of the 1950 federal census or any subsequent federal census and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

By Mr. Fant (With notice and proof):

S. 477. Relating to Winston County: To abolish the present County Court of Winston County, Alabama; to provide for the transfer of all causes pending in said Court to the COUNTY COURT OF WINSTON COUNTY, ALABAMA, and to provide for the disposition of all unsatisfied judgments, executions and forfeitures in said present County Court.

By Mr. Scruggs (With notice and proof):

H. 709. To establish the County Court of Marshall County, Alabama; to create and define its jurisdiction; to provide its officers, their powers, duties, qualifications and compensations, and manner of payment to them; to regulate the compensation of witnesses in said Court; to fix the terms of said Court, and the place of holding the same; to provide for the transfer of all misdemeanors now pending in the County Court of Marshall County which Court is abolished, as now constituted, into this Court for trial and provide for the transfer of all juvenile cases now pending in the probate Court of Marshall County, Alabama, and of all domestic relations cases brought under the provisions of Article 3 of Chapter 4 of Title 34 of the Code of Alabama of 1940 from the Probate Court into this Court; to abolish criminal jurisdiction of Justices of the Peace; to regulate payment of fees of officers, and witnesses in said Court; to prescribe rules, regulating the procedure, pleading and practice in said Court; to provide for payment of fines and forfeitures paid into said Court into the County Treasury of Marshall County; to provide for the taxing and collecting of County Court costs and fees; to provide for registration of certificates of judgments from said Court; to make the provisions of Chapters 6, 10, 11, 12, 20, 27 and 35 of Title 7 of the Code of Alabama of 1940, as amended, applicable to said Court; to provide for the transfer of cases from said Court to the Circuit Court in case the Presiding Judge in said

Court is incompetent to try the same; to give the Court jurisdiction of offenses under Chapter 7 of Title 13 of the Code of Alabama of 1940; and Article 3 of Chapter 4 of Title 34 of said Code; to provide for appeals from said Court; to provide for taxing and collecting solicitor's fees in said Court and provide for their payment into the County Treasury; and provide for appeals from Justice Courts in civil cases in Marshall County to said Court; to provide for appeals from said Court to the Circuit Court and prescribing rules and regulations governing said appeals; to provide that the Judge of said Court shall have authority to make examination of preliminary proceedings as provided in Chapter 6 of Title 15 of the Code of Alabama of 1940; to regulate the practice of law by the Judge of said Court; to provide for acquisition of books, equipment and supplies for the operation of said Court and its offices; to provide that should any Section or part of a Section of this Act be declared unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the remaining Sections or parts of Sections of this Act; and to provide that this Act shall go into effect immediately upon its approval.

By Mr. Adams (Dale) (With notice and proof):

H. 702. Relating to Dale County; authorizing and directing the Governing body of Dale County to pay the salaries of clerical assistance for the Clerk of the Circuit Court; repealing conflicting laws, including Act No. 332, H. 721, approved August 15, 1947 (Local Acts, 1947, p. 238).

By Mr. Smith (With notice and proof):

H. 587. To allow the Sheriff of Coosa County, Alabama, an additional deputy; to fix the salary of said deputy, and to make the same payable out of the general funds of Coosa County, Alabama, in monthly installments, and to provide when this Act shall take effect.

By Mr. Oden (With notice and proof):

H. 726. To extend, alter, and rearrange the boundary line and the corporate limits of the Town of Hodges in Franklin County, Alabama.

By Messrs. Tennille, Dawkins, Hall and Sellers (With notice and proof):

H. 723. To provide for a discount or deduction equal to two per centum (2%) of the amount of the tax levied by Act No. 54 adopted at the 1951 Regular Session of the Legislature of Alabama entitled "An Act to impose in Montgomery County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, distributing, storing, or withdrawing from storage, for any use, of motor fuels as defined in the act, including (a) gasoline, diesel fuel oil, motor distillate, tractor fuel, and other liquid motor fuels or any devices or substitutes therefor commonly used in internal combustion engines, and (b) naphthas, kerosene oil, fuel oil, crude oil, and liquefied petroleum gases when distributed, sold, stored or withdrawn from storage for use in internal combustion engines; to provide that the said tax shall be collected and paid over to said county by distributors, retail dealers or storers, as defined in the act, of such motor fuels; to provide that the said tax shall be a levy upon the consumer, with the distributor, retail dealer and storer acting merely as agent of the county for its collection, provided, that when the storer of motor fuel is also the consumer thereof the tax shall be a levy upon said storer and consumer; to make it unlawful for any distributor, retail dealer, or storer to fail to add the tax to the sales price of any such motor fuels and collect from any purchaser thereof the amount due on account of said tax; to provide that the said tax shall be in addition to all other taxes including (without limitation) any privilege or license taxes levied by Sections 176 to 180, inclusive, as amended, and Sections 182 to 186, inclusive, of Title 51 of the Code of Alabama of 1940; to provide for certain exemptions from the tax; to require every distributor, retail dealer, or storer of such motor fuels to make monthly reports as to sales, distributions and withdrawals from storage of such motor fuels and to pay over monthly an amount of money equal to the tax; to require such distributors, storers and retail dealers to keep for not less than two years records of sales and distribu-

tions or withdrawals from storage of such motor fuels; to require such distributors, storers and retail dealers to report their addresses, and any changes therein, to the governing body of said county; to provide for reports by transportation companies of all shipments into Montgomery County of such motor fuels; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the governing body of said county to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage, or withdrawal from storage of motor fuels as defined herein; to provide for use of the proceeds from said tax, after deduction of the cost of collection, for certain public school purposes, including (without limitation) construction and equipment of school houses and payment of the principal of an interest on obligations issued for such construction and equipment, or either of them; to provide, in the event of any valid pledge, pursuant to general law, of any part of said tax proceeds, that the proceeds so pledged shall first be applied in satisfaction of such pledge, and, in the event of more than one such pledge, in satisfaction thereof in the order made; to provide for termination on the effective date of this act of the levy of the excise tax authorized under Act No. 271 adopted at the 1943 Regular Session of the Legislature; and to provide for the effective date of this act," and approved May 30, 1951, and to authorize each person, corporation, or other entity required by law to collect and pay over said tax to the governing body of Montgomery County to deduct an amount equal to said discount or deduction from the amount of said tax; provided, that such discount or deduction may be so deducted only with respect to payments of the tax that are made when due and with respect to which the required statement was filed when due.

By Messrs. Hall, Sellers, Tennille and Dawkins:

H. 627. To regulate the office of Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census; to fix the compensation of the Sheriff of said counties and to provide for help and assistants and other expense necessary to the conduct of the office of sheriff; to provide for necessary quarters, books, stationery and other necessities necessary to the operation of said office; to provide that the Sheriff shall pay into the county treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to provide that the Board of Revenue, or court of like jurisdiction, shall audit the accounts of said Sheriff for the purpose of requiring a strict compliance with the provisions of this Act; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of the Sheriffs, and to provide for the bond for the Sheriff and to provide for the payment of Sheriff's and deputies' bonds out of the county treasury; authorizing the Sheriff to appoint an attorney to advise or represent him, and to fix the compensation of said attorney to be paid out of the general fund of the county by the Board of Revenue or like governing body; and providing when and where this Act shall become effective.

By Mr. Dodd (With notice and proof):

H. 712. Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act.

By Mr. Dodd (With notice and proof):

H. 711. Abolishing the fine and forfeiture fund of Winston County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

By Mr. White (Cullman) (With notice and proof):

H. 672. Relating to Cullman County to authorize the Board of Registrars of Cullman County to meet and be in session for sixty days for purging the registration list, and to provide compensation therefor to provide for clerk and other incidental expenses.

By Mr. White (Cullman) (With notice and proof):

H. 671. To fix the compensation of the Tax Assessor of Cullman County for assessing and of the Tax Collector of Cullman County for collecting municipal ad valorem taxes in those municipalities in Cullman County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

By Mr. White (Cullman) (With notice and proof):

H. 440. To allow the sheriff of Cullman County, Alabama an additional deputy sheriff to that now provided by law; to fix a salary of said deputy and to make the same payable out of the general funds of Cullman County in monthly installments.

By Messrs. Adams (Jefferson), Huey, Morgan (Jefferson) and Meeks:

H. 277. To amend Sections 253, 254, 255, 257 and 258, Title 62 of the Code of Alabama of 1940 to increase and extend the powers and duties of the barbers' commission and the Barber Inspector and to further regulate and license barbers and barber colleges, and other like businesses, to prescribe penalties and punishment and to increase the license fees therefor in counties of the State of Alabama having a population of 300,000 or over, according to the last or any subsequent federal census.

By Messrs. Eslick and Reynolds (Madison) (With notice and proof):

H. 300. To provide for the payment into the general fund of Madison County of all witness fees in the Inferior Court of Huntsville which are unclaimed for a period of ninety days.

By Messrs. Dumas, Kaul, Adams (Jefferson) and Huey:

H. 393. To amend Section 86, Title 11 of the Code of Alabama, 1940:

Mr. Jones, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendments, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hawkins (DeKalb) (With notice and proof) (With amendments):

H. 449. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

By Mr. Wood (with notice and proof) (with amendment):

H. 97. To provide for the election of the members of the Court of County Commissioners of Washington County.

Mr. Jones, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable

report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Brown and Ward (with notice and proof):

H. 594. For the relief of John H. Tyson of Auburn, Lee County, who was injured while acting within the line and scope of his employment by Alabama Polytechnic Institute; authorizing a payment to John H. Tyson from any funds appropriated to the use of Alabama Polytechnic Institute.

By Mr. Dodd (with notice and proof):

H. 634. Relating to Winston County; imposing extra, new, and additional duties upon the members of the Court of County Commissioners and providing additional compensation to such members for their performance thereof.

By Mr. Kendall (with notice and proof):

H. 677. To fix the compensation of the Tax Assessor of Conecuh County for assessing and of the Tax Collector of Conecuh County for collecting municipal ad valorem taxes in those municipalities in Conecuh County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

By Mr. Davis (with notice and proof):

H. 691. To alter or rearrange the boundary lines of the Town of Pell City, St. Clair County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

By Mr. Langdon:

H. 704. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Pickens County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Pickens County and the location of new industries or businesses therein to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Scruggs (with notice and proof):

H. 708. Authorizing, empowering and directing the Judge of Probate of Marshall County, Alabama, to record all minutes, judgments, orders and decrees of the Probate Court or decrees made and entered by the Probate Court in the Book of Final Records of said Court instead of having them recorded in the Minutes in said Court separate and apart from the Final Record and provides when this Act shall become effective.

By Mr. Scruggs (with notice and proof):

H. 710. To abolish the Office of the Deputy or County Solicitor of Marshall County Alabama, and to provide that all of the duties, powers and authorities now held by said Deputy or County Solicitor be and the same are hereby conferred upon the Circuit Solicitor of the Judicial Circuit composed of Marshall County, Alabama, and to provide



that said Circuit Solicitor shall perform all of said duties without additional compensation and provide when this Act shall become effective.

By Mr. Selden (with notice and proof):

H. 713. To extend, alter, rearrange and define the boundary lines and corporate limits of the City of Greensboro, in Hale County, Alabama.

By Messrs. Black and Fite (Walker) (with notice and proof):

H. 714. To place additional duties and responsibilities upon the members of the Board of Revenue of Walker County, Alabama, and to provide additional compensation therefor.

By Messrs. Leonard and Payne (with notice and proof):

H. 729. Authorizing and directing the Governing Body of Talladega County, Alabama, to make an appropriation out of the general fund of Talladega County, Alabama, for the relief of Willie Fair and Leathia Fair to reimburse them for funeral expenses and damages suffered as a result of the death of Jim Fair, their father and husband, respectively, which death occurred during the line and scope of Jim Fair's employment by Talladega County, on to-wit, the 7th day of August, 1950.

By Messrs. Payne and Leonard (with notice and proof):

H. 730. To alter and rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Mr. Jones, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dawkins, Sellers, Tennille and Hall (with amendment):

H. 741. Relating to counties having populations of not less than 100,000 nor more than 200,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Mr. Jones, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Grouby (with notice and proof):

H. 750. To amend Sections 8 and 11 of Act No. 445, Local Acts, 1947, page 303, establishing a Court of Common Pleas for Autauga County, Alabama, and to further provide for its officers, their powers and duties and compensations.

By Mr. McCoy (with notice and proof):

H. 752. Relating to Escambia County; authorizing the governing body of the County to pay the compensation of an additional deputy sheriff, to be appointed by the Sheriff of Escambia County and to be stationed by him at Atmore.

By Mr. Bamburg (with notice and proof):

H. 757. To authorize the Court of County Commissioners of Bibb County, Alabama, to provide an additional deputy sheriff for Bibb County, Alabama, in addition to the deputies now provided by law, to be appointed by and to serve at the pleasure of the sheriff; to provide for the annual salary of such deputy to be determined by said Court of

County Commissioners which said annual salary shall not be less than One Thousand and eight hundred dollars (\$1800) nor more than Two Thousand Four Hundred dollars (\$2400), per year, payable in equal monthly installments from the general fund of said county; and to provide that the said Court of County Commissioners shall have power and authority to revoke the provisions and allowances for said deputy sheriff at any time.

By Mr. Fant (with notice and proof):

S. 478. Relating to Winston County: To create and establish the COUNTY COURT OF WINSTON COUNTY, ALABAMA; to define its jurisdiction and powers; to invest it with the criminal and civil jurisdiction concurrent with that of the justices of the peace of the County of Winston, Alabama, and all jurisdiction of the present County Court of Winston County, Alabama; to invest it with the powers and jurisdiction in criminal cases, non-support cases and juvenile cases heretofore exercised by the Judge of Probate of Winston County, Alabama, and to withdraw and take away from the Judge of Probate of Winston County all jurisdiction conferred by this Act upon the COUNTY COURT OF WINSTON COUNTY, ALABAMA; to provide for the time and place of holding said Court; to provide for the Judge and officers of said Court, their powers, duties, tenure and compensation; to prescribe the fees, costs and rules of procedure of said Court.

By Mr. Richardson:

S. 484. To propose an amendment to the Constitution of Alabama relating to Lawrence County authorizing the creation of special school districts in said County, special school district taxes, the construction, improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Richardson (with notice and proof):

S. 485. To impose extra, new, and additional duties upon the Superintendent of Education of Lawrence County, Alabama, and to provide additional compensation for the performance of such duties.

By Mr. High (with notice and proof):

S. 486. Relating to St. Clair County; repealing an Act approved November 3, 1932 (Act No. 202, H. 416) entitled "An Act to provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties."

By Mr. Reneau (with notice and proof):

S. 487. Relating to the Court of Common Pleas of Elmore County; amending Sections 5, 8, 9, and 17 of the Act approved June 2, 1943 (No. 90, H. 374, Local Acts, 1943, p. 47) which created and established the Court of Common Pleas of Elmore County.

By Mr. Thagard (with notice and proof):

S. 498. Relating to Butler County; amending Section 7 of the Act approved May 23, 1951 (Act No. 27, H. 213, Regular Session, 1951) entitled "An Act to create and establish in Butler County, in lieu of the county court and the juvenile court, a court of record with county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein"; making the amendment retroactive.

By Mr. Skidmore (with notice and proof):

S. 503. To alter, rearrange, and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

By Mr. Robison:

S. 504. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

By Mr. Robison:

S. 505. To authorize all cities in the State of Alabama having a

population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the latest federal decennial census, or which shall hereafter have such population according to any such census that may hereafter be taken, to make appropriations and expend out of their revenues an amount not in excess of two hundred dollars (\$200) per year to aid in the care of, or care for, infirmed sick persons within the corporate limits and police jurisdiction of such cities who are unable to provide and care for themselves.

By Mr. Robison:

S. 506. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such election to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

By Mr. Robison:

S. 507. Relating to all cities in the State of Alabama having a population of not less than 78,000 people nor more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

By Mr. Robison:

S. 508. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 78,000 and not more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corpora-

tion or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

By Mr. Robison:

S. 509. To authorize all counties in the State of Alabama having a population of not less than 96,000 and not more than 141,000, according to the last Federal decennial census, or which shall hereafter have such population according to any Federal census, that may hereafter be taken, to make appropriations and expend out of their funds and revenues an amount not exceeding \$200.00 per annum to aid in the care of or for infirm sick persons, where such infirm sick persons are cared for within the corporate limits and police jurisdiction of any city situated within such county, who are unable to provide and care for themselves.

By Mr. Robison (with notice and proof):

S. 510. To vacate and abandon that certain Park in Plat of Highland Park in the City of Montgomery, County of Montgomery, State of Alabama.

By Mr. Robison:

S. 511. To provide for the appointment of a humane officer in all counties in this state which may now have or which hereafter have a population of ninety-six thousand people and less than one hundred forty-one thousand people according to the last Federal census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties.

By Mr. Boutwell (with notice and proof):

S. 517. Relating to Jefferson County: To amend Section 6, of Act No. 536, S. 365, approved October 2, 1947, 1947 Local Acts, page 359, which relates to the collection of delinquent court costs and fees in Jefferson County.

Mr. Andrews, Chairman of the Standing Committee on Commerce and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Locke (Perry):

S. 332. To define a "Motor Bus" and to provide a maximum permissible length for any motor bus driven or operated upon the highways of Alabama and to repeal all laws in conflict herewith.

Mr. Andrews, Chairman of the Standing Committee on Commerce and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Jones and Hollis (with substitute):

S. 96. To provide for the installation of windshields and tops on track motor cars operated by common carriers by railroads.

By Messrs. Jones and Hollis (with substitute):

S. 95. To provide for the installation of head and rear lights on track motor cars operated by common carriers by railroads.

Mr. Whatley, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. High:

S. 499. To amend Section 10 of Title 25 of the Code of Alabama of 1940 relating to commissioners or employees of Municipal Authorities interested in property, materials or services in connection with any housing project.

Mr. Skidmore, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Smith, Todd, Hollis, Boutwell, Jones, McCary, Skidmore, Andrews, Phillips, Foster and Faulkner:

S. 500. To amend Sections 279, 283, 287 and 289 of Title 26, 1940 Code of Alabama, as amended, relating to Workmen's Compensation.

Mr. Johnson (Chambers), Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Adams (Jefferson):

H. 428. To amend Section 73 of Title 36 of the Code of Alabama (1940) which relates to records to be kept by the Director of Public Safety.

By Mr. Selden:

H. 53. To provide for the issuance of restricted drivers' licenses.

By Mr. Miller:

H. 340. To repeal Sections 67, 68, 69, 71, 72 and 73 of Title 23 of the Code of Alabama (1940), which relate to road duty.

By Mr. Wright:

S. 412. Relating to motor vehicles; prescribing maximum rates of speed for operating motor vehicles upon the public highways; and prescribing penalties for violations of this Act.

By Mr. Selden:

H. 472. Relating to motor vehicles; amending Section 92, Title 36, Code of Alabama (1940).

By Mr. Selden:

H. 425. To amend Section 64 of Title 36 of the Code of Alabama (1940).

### BILL REPORTED AND COMMITTED

Mr. McCary, Chairman of the Standing Committee on Aviation and Traffic, reported that said Committee, in session, had acted on the following Bill and ordered same returned to the Senate without recommendation, to-wit:

S. B. 483. To empower municipalities and other political subdivisions to promulgate, administer, and enforce air-port zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

### RESOLUTION

Mr. Robison offered the following Senate Resolution, to-wit:

S. R. 48. Re It Resolved that S. B. 483 be committed to the Standing Committee of the Senate on Judiciary.

And the Rules were suspended and the Resolution adopted by the Senate.

And said Bill, S. B. 483, was committed to the Standing Committee on Judiciary.

### MOTION TO RECONSIDER

Mr. Johnson (Chambers) moved that the Senate reconsider the vote by which the bill:

S. 351. To propose an Amendment to the Constitution of the State of Alabama, amending Section 180 of Article 8, of the Constitution of Alabama; to order an election for the qualified electors of the State of Alabama upon such proposed amendment to be held at the general election next succeeding the session of the Legislature at which this amendment is proposed, and, to provide for notice to be given by the Governor for the holding of said election.

was lost on the twenty-second legislative day, which motion was adopted, and the Senate did reconsider said vote.

Yeas 21; Nays 13.

Yeas:

Messrs.:	High	Locke (Perry)	Reneau
Andrews	Hollis	McCary	Robison
Benson	Johnson (Chambers)	Norrell	Smith
Fant	Jones	Phillips	Todd
Faulkner	Larkins	Pinson	Wright
Foster	Locke (Choctaw)		

—21

Nays:

Messrs.:	Clayton	Johnston (Mobile)	Sollie
Bonner	Eddins	Richardson	Thagard
Boutwell	Farmer	Skidmore	Whatley
Byars	Golson		

—13

And said bill, S. B. 351, was ordered placed on the Calendar.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed Bill with the original Bill and finds same correctly engrossed, to-wit:

S. 238. To create and establish the Alabama Agricultural and Industrial Exhibit Commission, to prescribe the duties of said commission, and to appropriate for each of the fiscal years 1951-52 and 1952-53 to said commission out of the general funds of the State of Alabama the sum of fifteen thousand dollars (\$15,000.00), which said sum the said commission, acting with and through the Alabama State Fair Authority, a public corporation, shall use in providing, or paying, premiums, rewards or prizes for beef cattle, dairy cattle, sheep, goats, hogs and other livestock; agricultural shows or exhibits; fine arts (art exhibits, including portraits, paintings, drawings, sculpture and molding of pottery); exhibits of an educational character portraying important phases of community life; educational shows and exhibits for participation therein by students; home economics, including cooking, sewing, preserving and other activities of women; exhibits for 4-H Clubs, Future Farmers of America, and Future Homemakers of America; poultry shows or exhibits; rabbit shows or exhibits; dog shows or exhibits; and flower shows or exhibits.

J. B. RICHARDSON,  
Chairman.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bill and Senate Joint Resolutions with the original Bill and Resolutions and finds same correctly enrolled to-wit:

S. 287. Relating to public health; to make it a misdemeanor for any person, firm, or corporation to take, carry, transport, or remove a dead human body from within the confines of this State unless the same has been embalmed or cremated.

Also:

S. J. R. 43. Relative to naming Senate Bill number 109.

Also:

S. J. R. 44. Relative to naming Senate Bill number 128.

Also:

S. J. R. 45. Relative to naming Senate Bill number 74.

Also:

S. J. R. 47. Relative to naming Senate Bills numbers 58, 59, and 67.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILL AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate,



signed the foregoing bill and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bills, your signature thereto is requested.

H. J. R. 74. Relative to naming House Bill No. 366.

Also:

H. 622. To authorize the Clerks of all Courts not Courts of Record, in Counties having a population of 400,000 inhabitants or more, according to the last or any succeeding Federal Census, to destroy all papers filed in cases in such Courts after the expiration of six years from the date of the final judgment therein; but no authority is given herein to destroy the dockets, docket sheets or indices in such cases.

Also:

H. 46. To provide for the reporting and recording of the names and addresses of persons receiving public assistance in each county and of the amounts received by them and the names, addresses and salaries of all employees of the county board of public welfare and the county department of public welfare; to make it unlawful to use such information for any purpose not directly connected with the administration of public assistance; and prescribing penalties for violations of the Act.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution, the titles of which are set out in the foregoing message from the House.

### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Wright further consideration of the Bill, S. B. 103, was indefinitely postponed by the Senate.

### BILLS ON THIRD READING

The Bill:

H. 731. To re-divide the State into Judicial circuits and provide for the compensation, election and/or appointment of the Judge and Solicitor of the newly created Circuit.

Was read a third time at length and passed;

Yeas 28; Nays 3.

Yeas:

Messrs.:	Clayton	Faulkner	Johnson (Chambers)
Andrews	Eddins	Foster	Jones
Benson	Fant	High	Larkins
Byars	Farmer	Hollis	Locke (Choctaw)

Locke (Perry)	Pinson	Skidmore	Thagard	
McCary	Reneau	Smith	Todd	
Norrell	Robison	Sollie	Wright	
Phillips				—28

Nays: Messrs.: Bonner, Boutwell and Golson —3

The Bill:

S. 392. To amend Section 3, Title 23, Code of Alabama (1940), which relates to the duties and powers of the State Highway Department.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

Finance and Taxation Amendment to S. B. 392.

Amend Section 1 of S. B. 392 by substituting for the words and figures "five thousand dollars (\$5,000.00)" where same appears in line 30, page 2 of said bill, the words and figures "ten thousand dollars (\$10,000.00)".

Which was adopted;

Yeas 30; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Richardson	
Andrews	Faulkner	Larkins	Robison	
Benson	Foster	Locke (Choctaw)	Skidmore	
Boutwell	Golson	Locke (Perry)	Smith	
Byars	High	McCary	Sollie	
Clayton	Hollis	Phillips	Thagard	
Eddins	Johnson (Chambers)	Pinson	Whitley	
Fant	Johnston (Mobile)	Reneau		—30

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment;

Yeas 29; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison	
Andrews	Foster	Locke (Perry)	Skidmore	
Benson	Golson	McCary	Smith	
Boutwell	High	Norrell	Sollie	
Byars	Hollis	Phillips	Thagard	
Clayton	Johnson (Chambers)	Reneau	Todd	
Eddins	Johnston (Mobile)	Richardson	Whitley	
Fant	Larkins			—29

Nays: —0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills:

S. 411. To regulate the office of Sheriff in counties of more than

96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census; to fix the compensation of the Sheriff of said counties and to provide for help and assistants and other expense necessary to the conduct of the office of sheriff; to provide for necessary quarters, books, stationery and other necessities necessary to the operation of said office; to provide that the Sheriff shall pay into the county treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to provide that the Board of Revenue, or court of like jurisdiction, shall audit the accounts of said Sheriff for the purpose of requiring a strict compliance with the provisions of this Act; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of Sheriffs, and to provide for the bond for the Sheriff and to provide for the payment of Sheriff's and deputies' bonds out of the county treasury; authorizing the Sheriff to appoint an attorney to advise or represent him, and to fix the compensation of said attorney to be paid out of the general fund of the county by the Board of Revenue or like governing body; and providing when and where this Act shall become effective.

Also:

S. 398. To abolish the office of Deputy Circuit Solicitor and County Solicitor for Talladega County, Alabama, and to require the Circuit Solicitor of any Judicial Circuit embracing only Talladega County to represent the State of Alabama and Talladega County in all ways required of the County Solicitor by law.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Oden:

H. 305. To amend Sections 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 326, 328 and 329 of Title 46, Code of Alabama 1940; and to repeal Sections 321, 325 and 327 of Title 46 Code of Alabama 1940, all of which relate to the practice of veterinary medicine and surgery in Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 305—To the Committee on Public Health.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Coburn:

H. 668. To repeal Act No. 27, adopted at the Fifth Special Session of the Legislature of Alabama held during the year 1950, which proposed and provided for the submission of an amendment to the Constitution of Alabama relating to Colbert County for the purpose of validating Act No. 485 adopted at the Regular Session of the Legislature of Alabama of 1949.

Also:

By Messrs. Thomason and Tumlin:

H. 778. To amend Section 2 of Act No. 20, S. 58, approved January 26, 1937 (Local Acts of Alabama, Extra Session, 1936-37, page 14) entitled "An Act To provide a Fund for the support of a Law Library for the Circuit Court of Calhoun County, Alabama, without appropriation from the State or County Treasury by the assessment and collection of court cost in all suits, actions and proceedings hereafter filed or brought to said court, and provide for the regulation and control of said fund."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CALHOUN

NOTICE is hereby given that at the 1951 Regular Session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 2 of Act No. 20, S. 58, approved January 26, 1937 (Local Acts of Alabama, Extra Session, 1936-37, page 14) entitled "An Act To Provide a Fund for the support of a Law Library for the Circuit Court of Calhoun County, Alabama, without appropriation from the State or County Treasury by the assessment and collection of court costs in all suits, actions and proceedings hereafter filed or brought to said court, and provide for the regulation and control of said fund."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act. No. 20, S. 58, approved January 26, 1937 (Local Acts of Alabama, Extra Session, 1936-37, page 14) entitled "An Act To provide a Fund for the support of a Law Library for the Circuit Court of Calhoun County, Alabama, without appropriation from the State or County Treasury by the assessment and collection of court cost in all suits, actions and proceedings hereafter filed or brought to said court, and provide for the regulation and control of said fund" is amended to read:

"All costs collected and received by the Clerk of the said Circuit Court as provided in Section 1 hereof, shall be held by the Clerk of said Court in a separate fund, and shall be disbursed by him upon order of the said Court on recommendation of the Calhoun County Bar Association exclusively for the purchase of law books and library equipment and for the employment of a county law librarian, who shall be appointed and whose salary shall be fixed by said Court upon recommendation of the Calhoun County Bar Association."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 18, 25; July 2, 9, 1951

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, 25, July 2 and 9, all in the year 1951.

RALPH W. CALLAHAN.

Sworn to and subscribed before me July 16, 1951.

CLARA B. WRIGHT,  
N. P.

Also:

By Messrs. Thomason and Tumlin:

H. 779. For the relief of Mrs. Clarence William Carter as compensation for the death of her husband, Clarence William Carter, deceased, of Anniston, Alabama, as a result of injuries received by him when struck by a police car owned, and being operated on official business, by the City of Anniston, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CALHOUN

NOTICE is hereby given that at the 1951 Regular Session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENACTED  
AN ACT

For the relief of Mrs. Clarence William Carter as compensation for the death of her husband, Clarence William Carter, deceased, of Anniston, Alabama, as a result of injuries received by him when struck by a police car owned, and being operated on official business, by the City of Anniston, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Commissioners of the City of Anniston, Alabama, is hereby authorized and directed to pay to Mrs. Clarence William Carter the sum of Two Thousand (\$2000.00) Dollars as compensation for the death of her husband, Clarence William Carter, which occurred on, to-wit, April 22, 1946, as the result of injuries received when the deceased was struck by a police car owned, and being operated on official business, by the City of Anniston, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 18, 25; July 2, 9, 1951

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, 25, July 2, and 9, all in the year 1951.

RALPH W. CALLAHAN.

Sworn to and subscribed before me July 16, 1951.

CLARA B. WRIGHT,  
N. P.

Also:

By Messrs. McNider and Mathews:

H. 781. Relating to Clarke County; providing for the election of the members and chairman of the county board of education, with the members to be elected by districts and the chairman to be elected at large.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL NOTICE

STATE OF ALABAMA  
COUNTY OF CLARKE

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Clarke County; providing for the election of the members and chairman of the county board of education, with the members to be elected by districts and the chairman to be elected at large.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of education of Clarke County shall consist of four members and a chairman. One member shall be elected from, be a qualified elector of, and reside in each of the four commissioners districts into which the county is divided as prescribed by law. The chairman of the board shall be a qualified elector of and reside in the county, and he shall be elected by the qualified electors of Clarke County at large. Each member of the board and the chairman shall be elected for a term of four years from the first Monday after the second Tuesday in January next after his election.

Section 2. Members of the board for Districts 1 and 2 shall be elected at the general election in 1952, and every four years thereafter; members of the board for District 3 and 4 shall be elected at the general election in 1954, and every four years thereafter. The chairman of the board shall be elected at the general election in 1954, and every four years thereafter. The persons holding office as members or chairman of the board on the

effective date of this Act shall continue in office until their respective terms expire.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF CLARKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared G. A. Carleton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1951.

G. A. CARLETON.

Sworn to and subscribed before me July 14, 1951.

INEZ P. SULLIVAN,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 668—To the Committee on Constitution and Constitutional Revision and Amendments.

H. B.'s 778, 779 and 781—To the Committee on Local Legislation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Adams (Jefferson) and Givhan:

##### HOUSE JOINT RESOLUTION NO. 78

WHEREAS, Thomas W. Martin, a native son of Alabama, has for many years given of his time and talents for the benefit of the people of Alabama and the South; and

WHEREAS, Thomas W. Martin has been instrumental in getting many important industries to establish plants in the State of Alabama which are of great benefit to the State and the people of the State, and

WHEREAS, Thomas W. Martin has been greatly instrumental in organizing and establishing and developing the Southern Research Institute at Birmingham, which Institute has been of great service to the manufacturing industry in Alabama and the Southeast; and

WHEREAS, the legislature of Alabama desires to express its appreciation, and the appreciation of the people of Alabama for the distinguished achievements of Thomas W. Martin;

NOW THEREFORE, BE IT RESOLVED, that the House of Representatives, the Senate concurring, takes this opportunity to express its thanks and appreciation to Mr. Martin for his constant, untiring and unselfish work in the fields of industry, education, research and history, for the benefit of the people of Alabama and the South.

BE IT FURTHER RESOLVED, that it is the hope and wish of this body, and of the people of Alabama, that Thomas W. Martin may be spared for many years to come to continue and will be able to continue the great and beneficial works in which he is engaged.

A copy of this Resolution when passed by the Legislature, is to be sent by the Secretary of State, to Thomas W. Martin.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Benson the Rules were suspended and the Resolution, H. J. R. 78, set out in the foregoing Message from the House, was adopted by the Senate.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 324. To amend Section 272 of Article 25 of Title 17 of the Code of Alabama of 1940, relating to expenditures of candidates for public or party office.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 31; Nay 1.

Yeas:

Messrs.:	Fant	Larkins	Robison
Andrews	Farmer	Locke (Perry)	Skidmore
Benson	Faulkner	McCary	Smith
Bonner	Foster	Norrell	Sollie
Boutwell	Hollis	Phillips	Thagard
Byars	Johnson (Chambers)	Pinson	Todd
Clayton	Johnston (Mobile)	Reneau	Whatley
Eddins	Jones	Richardson	Wright

—31

Nay: Mr. Golson

—1

The Bill:

S. 176. To provide that the distributions, expenditures, withdrawals, and disbursements of funds by the State Department of Aeronautics shall be only in the amounts and for the purposes as provided in the general appropriation bill; and to repeal all laws or parts of laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 31; Nays 0.



*Yeas:*

Messrs.:	Fant	Jones	Robison
Andrews	Farmer	Locke (Choctaw)	Skidmore
Benson	Faulkner	Locke (Perry)	Smith
Bonner	Foster	McCary	Sollie
Boutwell	Golson	Norrell	Thagard
Byars	Hollis	Phillips	Todd
Clayton	Johnson (Chambers)	Pinson	Whately
Eddins	Johnston (Mobile)	Reneau	Wright

—31

*Nays:*

—0

The Bill:

S. 413. Proposing to amend further Section 284, Article XVIII, Constitution of Alabama (1901), which relates to the mode of amending the Constitution.

And said Bill was read a third time at length as required by the Constitution.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Bush:

H. 784. To alter and extend the boundaries of the City of Wetumpka, Elmore County, Alabama:

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that at the present regular 1951 session of the Legislature of Alabama a certain bill will be introduced for passage and application will be made for its passage and enactment into law, the substance thereof being as follows:

#### A BILL TO BE ENTITLED AN ACT

To alter and extend the boundaries of the City of Wetumpka, Elmore County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Wetumpka, Elmore County, Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said City all of the following described additional property not presently located in said City, to-wit: Begin at the southwest corner of Section 19, Township 18, Range 19 and run east on the south line of said section 145 feet; run thence North 17 degrees 26 minutes West along the East right of way line of the Wetumpka-Montgomery Highway a distance of 659.4 feet to the point of beginning of the tract herein described: From said point of beginning run North 85 degrees east to the East side of the Southwest quarter of the Southwest quarter of said Section 19, Tp. 18, Range 19; run thence North along the East side of the West half of the Southwest quarter of said Section 19 to the Northeast corner thereof; run thence West along the North side of said Southwest quarter to the East side of the right of way of said highway; thence southerly along the East right of way line of said high-

way to the point of beginning; said tract being located in Section 19, Tp. 18, Range 19 and in Section 24, Tp. 18, Range 18, Elmore County, Alabama.

Section 2. This act shall become and be effective upon its passage nad approval or its otherwise becoming a law.

10May4t

STATE OF ALABAMA  
ELMORE COUNTY

Before me the undersigned authority personally appeared W. H. Golson, who by me first being duly sworn deposes and says that he is the Publisher of The Wetumpka Herald, a weekly newspaper published at Wetumpka, in Elmore County, Alabama, and that the attached notice Notice: A Bill To Be Entitled An Act To alter and extend the boundaries of the City of Wetumpka was published in said newspaper for 4 successive weeks towit: May 10, 17, 24, 31, 1951.

W. H. GOLSON,  
The Wetumpka Herald.

Sworn to and subscribed before me this the ..... day of ..... 19, ..

ELAINE HOLLEY,  
Notary Public.

Also:

By Messrs. Haynes and Dodd:

H. 788. To authorize the governing body of each county having a population of less than 20,000 inhabitants to provide for the payment of the travelling expenses of the sheriff and one deputy sheriff.

Also:

By Mr. Langdon:

H. 799. Relating to Pickens County; dividing the county into forest protection districts; imposing certain duties upon the members of the Court of County Commissioners of said county with respect to such districts, and fixing their compensation for the performance of such an ex-officio duties.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA  
COUNTY OF PICKENS

Notice is hereby given that at the current session of the legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Pickens county; dividing the county into forest protection districts; imposing certain duties upon the members of the Court of County Commissioners of said county with respect to such districts, and fixing their compensation for the performance of such an exofficio duties.

Be It Enacted by the Legislature of Alabama:

Section 1. Pickens County is hereby divided into as many forest-protection districts as there are members of the Court of County Commis-

sioners, the boundaries of each of which shall coincide and be coextensive with the boundaries of each commissioner's district.

Section 2. Each member of the Court of County Commissioners of said county shall have the special duty of investigating and reporting for his district, violations of Chapter 4, Title 8, Code of Alabama (1940), and shall perform such other duties as are imposed by law upon forest wardens.

Section 3. Each member of the Court of County Commissioners of Pickens county shall be paid a salary of one hundred dollars per month, out of any funds in the county treasury not otherwise appropriated, for the performance of the additional duties imposed upon him by this Act.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-14-4tc

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA PICKENS COUNTY

Before me, Jack M. Pratt, a Notary Public in and for said County, personally appeared J. G. Pratt, Publisher of The Pickens County Herald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows:

June 14, June 21, June 28, July 5th, 1951.

J. G. PRATT.

Subscribed and sworn to before me, this the 12 day of July, 1951.

JACK M. PRATT,  
Notary Public.

Also:

By Messrs. Wilkins, Adams (Jefferson), Beatty, Morgan (Jefferson), Dumas, Gallalee and Pfleger:

H. 793. To repeal Chapter 12, Title 12, Code of Alabama, 1940, which relates to civil service systems in counties having a population of two hundred thousand inhabitants or more according to the 1930 federal census and certain municipalities therein.

Also:

By Messrs. Huey, Adams (Jefferson), Meeks, Beatty, Morgan (Jefferson), and Dumas:

H. 737. To change the name and designation of the office of License Inspector in and for Jefferson County, Alabama, to the Department of Revenue of Jefferson County, and to change the designation of the License Inspector to Director of Revenue; to provide for the appointment, tenure, powers, and duties of the Director of Revenue; and to change the name and designation of the office of Chief Deputy License Inspector in and for Jefferson County, Alabama, to Deputy Director of Revenue, and to provide that the said Deputy Director of Revenue shall perform the duties and exercise the powers conferred upon the Chief Deputy License Inspector by Act No. 536 of the Acts of Alabama of 1947 (Local Acts of Alabama of 1947, page 359), approved October 2, 1947, as amended; and to grant power to said Department to require information to be furnished, and to require the production of books, records, and papers for inspection.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

Notice is hereby given that the following bill will be introduced in the present session of the Legislature of Alabama:

### A BILL TO BE ENTITLED AN ACT

To change the name and designation of the office of License Inspector in and for Jefferson County, Alabama, to the Department of Revenue of Jefferson County, and to change the designation of the License Inspector to Director of Revenue; to provide for the appointment, tenure, powers, and duties of the Director of Revenue; and to change the name and designation of the office of Chief Deputy License Inspector in and for Jefferson County, Alabama, to Deputy Director of Revenue, and to provide that the said Deputy Director of Revenue shall perform the duties and exercise the powers conferred upon the Chief Deputy License Inspector by Act No. 536 of the Acts of Alabama of 1947 (Local Acts of Alabama of 1947, page 359), approved October 2, 1947, as amended: and to grant power to said Department to require information to be furnished, and to require the production of books, records, and papers for inspection.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of License Inspector in Jefferson County, Alabama, as created by Act No. 535, 1939 Local Acts, approved September 25, 1939, shall hereafter be known and designated as the Department of Revenue of Jefferson County, and the License Inspector of Jefferson County shall hereafter be known and designated as the Director of Revenue.

Section 2. The Department of Revenue of Jefferson County shall have and exercise all the powers, functions, and duties heretofore vested in the office of License Inspector or in the License Inspector in said county, including, without limiting the generality of the foregoing, those incident to the administration and enforcement of Act No. 424, General Laws of Alabama, approved July 8, 1943, (General Acts 1943, page 390 et seq.) as amended, Act No. 414, General Laws of Alabama, approved September 23, 1947 (General Acts of Alabama, 1947, page 304 et seq.) as amended, and Act No. 385, General Laws of Alabama, approved September 16, 1947 (General Acts of Alabama, 1947, page 280 et seq.) as amended, and all powers, functions, and duties vested in the office of License Inspector, or in the License Inspector, by any general act or acts, or any local act or acts applying in said county.

Section 3. All of the powers, functions, and duties of the Department of Revenue of Jefferson County shall be exercised by the Director of Revenue, who shall be subject to the general supervision of the County Commission of said county.

Section 4. The Director of Revenue shall continue to be designated and appointed by the County Commission of said county, and shall continue to hold office subject to the provisions of such Civil Service or Merit System Law as is applicable in said county.

Section 5. The Director of Revenue of said county, either in person or through his deputies or assistants, shall have power and authority to require individuals, partnerships, associations, corporations, trustees, and receivers, and the agents, officers, and employees thereof, to furnish under oath all such information as would be relevant to the liability of any such individual, partnership, association, corporation, trustee or receiver to pay any tax, license, fee, dues, assessment or court costs, the col-

lection or enforcement of which is a duty of such Department of Revenue of Jefferson County, or the amount of any such liability or such tax, license, fee, dues, assessment or court costs, and to require the production for examination of all records, books, papers, and documents of any kind demanded which may be relevant to such liability, or the amount thereof, and to answer questions under oath with respect thereto.

Section 6. The name and designation of the office of Chief Deputy License Inspector in and for Jefferson County, Alabama, is hereby changed to Deputy Director of Revenue; and the said Deputy Director of Revenue shall perform the duties and exercise the powers conferred upon the Chief Deputy License Inspector of Jefferson County by Act No. 536 of the Acts of Alabama of 1947 (Local Acts of Alabama of 1947, page 359), approved October 2, 1947, as amended.

Section 7. This act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

Messenger—June 9-16-23-30, 1951.

#### AFFIDAVIT OF PUBLICATION

##### STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 9-16-23-30, 1951, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 2nd day of July, 1951.

MALCOLM L. WHEELER,  
Notary Public.

Also:

By Messrs. Huey, Adams (Jefferson), Beatty, Morgan (Jefferson), and Meeks:

H. 738. To provide for the combination of the office of License Inspector or Department of Revenue of Jefferson County, Alabama, and the office of Commissioner of Licenses of said County, whenever the offices of License Inspector or Department of Revenue or Commissioner of Licenses of said County shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law, and to provide for the salary of such Director, and to provide for the employees of such Department of Revenue.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that the following bill will be introduced in the present session of the Legislature of Alabama:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for the combination of the office of License Inspector or Department of Revenue of Jefferson County, Alabama, and the office of Commissioner of Licenses of said County, whenever the offices of License Inspector or Department of Revenue or Commissioner of Licenses of said County shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law, and to provide for the salary of such Director, and to provide for the employees of such Department of Revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever the office of License Inspector or Department of Revenue, or the office of Commissioner of Licenses of Jefferson County, Alabama, shall become vacant so that the present incumbent of any of such offices shall no longer hold such office, then and thereupon and at such time the office of License Inspector or the Department of Revenue which may exist in said county, whether created by general or local act or code provision, and the office of Commissioner of Licenses of said county, whether created by general or local act or provided for in the Alabama Code of 1940, shall be combined into one office to be thereafter known and designated as the Department of Revenue of Jefferson County.

Section 2. The Department of Revenue herein provided for in said county shall have possession and exercise all of the powers, functions, and duties now or hereafter vested in the office of License Inspector or the Department of Revenue which may then exist in said county, and all of the powers, functions and duties now or hereafter vested in the office of Commissioner of Licenses of said county, as fully and effectively as if such powers, functions, and duties had been conferred specifically upon such Department of Revenue.

Section 3. The Department of Revenue hereinabove provided for in said county shall be under the supervision and control of a Director of Revenue, who shall nevertheless be subject to the general supervision of the County Commission, or shall be designated and appointed by the County Commission, and shall hold office subject to the provisions of such Civil Service or Merit System Law as shall have application in said county. Provided, however, the remaining incumbent as provided in Section 1 hereof, shall be the first Director of the combined office of the Department of Revenue of Jefferson County. The salary of the Director of Revenue shall be fixed by the County Commission upon the prior written recommendation of the Director of Personnel of the Personnel Board of Jefferson County, Alabama. Such written recommendation shall be based upon a study of the duties and responsibilities of the office and the salary schedules applicable to like public officials in counties and cities of comparable size.

Section 4. The Director of Revenue herein provided for shall have an assistant to be known as the Deputy Director of Revenue. Such Deputy Director of Revenue shall be appointed by the Director of Revenue subject to the approval of the County Commission of said county and shall hold office subject to the provisions of such civil service or merit system law as shall have application in said county. Provided, however, the first Deputy Director of Revenue to be so appointed shall be selected from the employees of such combined Department of Revenue without competitive examination of any civil service board, or merit system law as shall have application in said county. The Deputy Director of Revenue shall perform such duties as are assigned to him by the Director of

Revenue, and shall have and exercise in all matters the full authority granted by law to the Director of Revenue, if the Director of Revenue shall have delegated such duties and authority to him in writing.

Section 5. The Director of Revenue, herein provided for, shall have full power and authority to establish, with the approval of the County Commission of said county, any other such divisions of the Department of Revenue as may be necessary to carry out the powers, functions, and duties hereinabove provided for, and to name, designate, and appoint the heads of such divisions and other needed employees, (the number of such employees to be subject to the approval of the County Commission of said county) all subject to the provisions of any Civil Service or Merit System Law which may have application in said county. All employees of the office of License Inspector or Department of Revenue, or the Commissioner of Licenses, and who are necessary for the operation of such combined office, shall continue as employees of such combined Department of Revenue on the basis of the same classification and rating then held by them under the provisions of any applicable Civil Service or Merit System Law in said county until their employment is changed in accordance with provisions of any such laws. Provided, however, the Director of Revenue with the approval of the County Commission may make such changes as will improve the efficiency of operation of such combined office or will avoid duplication of jobs, authority, or duties of such employees.

Section 6. This Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.  
Messenger—June 9-16-23-30, 1951.

#### AFFIDAVIT OF PUBLICATION

##### STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 9-16-23-30, 1951, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 2nd day of July, 1951.

MALCOLM L. WHEELER,  
Notary Public.

Also:

By Messrs. Dumas, Adams (Jefferson), Meeks, Beatty, Huey and Morgan (Jefferson):

H. 769. To alter and rearrange the corporate limits of the City of Birmingham so as to include therein part of the territory located in Section 11, Township 17, Range 3, West in Jefferson County.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given, without cost to the State, by publication in Jefferson County, Alabama, where the matter or thing to be affected is situated, of intention to apply at the present (1951) Regular Session of the

Legislature of Alabama for introduction and passage of a bill, the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL  
TO BE ENTITLED  
AN ACT

To Alter and Rearrange the Corporate Limits of the City of Birmingham so as to include therein part of the territory located in Section 11, Township 17, Range 3, West, in Jefferson County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Birmingham, in the County of Jefferson, State of Alabama, are hereby altered and rearranged so as to include within the corporate limits of said City all that territory south and east of the Huntsville Road and north of the southerly line of the Fairmont School property, extended, and extending east to the present boundary of the City of Birmingham, Alabama, as said boundary was extended under the provisions of Act No. 325, Local Acts of Alabama approved August 3, 1949, and being all of that property lying south and east of Huntsville Road and between the said present boundary of the City of Birmingham and the southerly boundary of the Fairmont School property extended, and including said Fairmont School property, all of which is located in Section 11, Township 17, Range 3 West in Jefferson County, Alabama.

Section 2. That this Act shall become and be effective upon and after date of passage.

Messenger—June 16-23-30-July 7, 1951.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 16, 23, 30, July 7, 1951, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 9 day of July, 1951.

MALCOLM L. WHEELER,  
Notary Public.

Also:

By Mr. Wood:

H. 581. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing and directing the governing body of any such county to provide for the employment of a deputy clerk in the office of the Clerk of the Circuit Court.

Also:

By Mr. Meeks:

H. 494. To amend Section 302 of Title 48 of the Code of Alabama of 1940.



And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 784, 788, 799, 793, 737, 738, 769 and 581—To the Committee on Local Legislation.

H. B. 494—To the Committee on Commerce and Common Carriers.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Romine, Miller, Denton, Adams (Jefferson), Coburn, Roberts, Tumlin, Scruggs, Lee, Meeks, Harvey, Pruitt, Hankins, Plott, Harrison (Shelby), Russell, White (Cullman), Black, Langdon, Sellers, Hall, Tennille, Bassett, Taylor, Wesley, Mathews, Garrett, McNider, Pfleger, Faulk, Grouby, Davis, Malone (Houston), Engelhardt, Cole, Brassell, Solomon, Butler, Reynolds (Chambers), McClendon, Beatty, and Brown (with substitute):

H. 773. To further provide for the general revenue of the State of Alabama and to fix the license and registration fee on certain motor vehicles.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 773—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill:

S. 427. To make appropriation of One Hundred Fifty Thousand Dollars (\$150,000.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Clayton the Senate concurred in and adopted the following House amendment to the Bill, S. B. 427, the title of which is set out in the foregoing Message from the House:

## SUBSTITUTE FOR S. B. 427

A BILL  
TO BE ENTITLED  
AN ACT

To make appropriation of Two Hundred Thousand Dollars (\$200,000.00), or so much thereof as may be necessary out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated, out of any funds in the State Treasury not otherwise appropriated, the sum of Two Hundred Thousand Dollars (\$200,000.00), or so much thereof as may be necessary, to defray the expenses of the present session of the Legislature.

Section 2. This Act shall become effective immediately upon its passage and approval of the Governor or its otherwise becoming a law.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Skidmore
Andrews	Faulkner	Locke (Choctaw)	Smith
Benson	Foster	Locke (Perry)	Sollie
Boutwell	Golson	Norrell	Thagard
Byars	Hollis	Phillips	Todd
Clayton	Johnson (Chambers)	Pinson	Whatley
Eddins	Johnston (Mobile)	Reneau	Wright
Fant	Jones	Richardson	—30

Nays:

—0

RECESS

At 12:50 P. M. Mr. Andrews moved that the Senate take a recess until 2 o'clock this afternoon.

Mr. Johnson (Chambers) offered as a substitute motion that the Senate adjourn until 10 o'clock tomorrow, July 27, 1951, which motion was lost.

Yeas 10; Nays 21.

Yeas:

Messrs.:	Faulkner	Reneau	Whatley
Clayton	Golson	Richardson	Wright
Fant	Johnston (Mobile)	Skidmore	—10

Nays:

Messrs.:	Eddins	Locke (Choctaw)	Robison
Andrews	Farmer	Locke (Perry)	Smith
Benson	Foster	Norrell	Sollie
Bonner	Hollis	Phillips	Thagard
Boutwell	Johnson (Chambers)	Pinson	Todd
Byars	Larkins		—21

The question recurred on the motion of Mr. Andrews, which was adopted, and at 12:55 P. M., pending further consideration of S. B. 413, the Senate took a recess until 2:30 o'clock this afternoon.

# REGULAR SESSION

1131

## AFTERNOON SESSION

### TWENTY-THIRD LEGISLATIVE DAY

THURSDAY, JULY 26, 1951

The Senate reassembled at 2:30 P. M., Lieutenant-Governor Allen presiding.

#### ROLL CALL

##### Present:

Messrs.:	Farmer	Larkins	Robison
<b>Andrews</b>	Faulkner	Locke (Choctaw)	Skidmore
Benson	Foster	Locke (Perry)	Smith
Bonner	Golson	McCary	Sollie
Boutwell	High	Norrell	Thagard
Byars	Hollis	Phillips	Todd
<b>Clayton</b>	Johnson (Chambers)	Pinson	Whatley
Eddins	Johnston (Mobile)	Reneau	Wright
Fant	Jones	Richardson	

—34

#### UNFINISHED BUSINESS

The Senate proceeded to consideration of the unfinished business of the morning session which was the Bill:

S. 413. Proposing to amend further Section 284, Article XVIII, Constitution of Alabama (1901), which relates to the mode of amending the Constitution.

And said Bill was then passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 9.

##### Yeas:

Messrs.:	Farmer	Larkins	Pinson
<b>Andrews</b>	Faulkner	Locke (Choctaw)	Smith
Benson	Foster	Locke (Perry)	Sollie
Byars	Hollis	McCary	Thagard
Eddins	Johnson (Chambers)	Norrell	Todd
Fant	Jones	Phillips	Whatley

—23

##### Nays:

Messrs.:	Clayton	Reneau	Robison
Bonner	Golson	Richardson	Skidmore
Boutwell	Johnston (Mobile)		

—9

Mr. Andrews moved that the Senate reconsider the vote by which it passed the Bill, S. B. 413, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 22; Nays 7.

##### Yeas:

Messrs.:	Farmer	Larkins	Smith
<b>Andrews</b>	Faulkner	Locke (Choctaw)	Sollie
Benson	Foster	Locke (Perry)	Thagard
Byars	Hollis	Norrell	Todd
Eddins	Johnson (Chambers)	Phillips	Whatley
Fant	Jones	Pinson	

—22

*Nays:*

Messrs.:	Boutwell	Reneau	Robison
Bonner	Johnston (Mobile)	Richardson	Skidmore

—7

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to wit:

S. 427. To make appropriation of Two Hundred Thousand Dollars (\$200,000.00), or so much thereof as may be necessary out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

HERBERT B. BYARS,  
Chairman.

## SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Thagard:

S. B. 537. To amend "An Act to Abolish Bills of Exception in the Circuit Court and courts of like jurisdiction and all other courts of record having a full time Court Reporter and from which appeals lie directly to the Court of Appeals or the Supreme Court of Alabama in cases at law, and to provide for the evidence to be transcribed and made a part of the record and for assignments of error on the record, "approved July 12, 1943.

Committee on Judiciary.

By Mr. Phillips:

S. B. 538. To amend Section 4 of Act No. 275, approved July 26, 1951, entitled "An Act regulating the business of selling, distributing, storing or transporting liquefied petroleum gases: To regulate the design, construction, location, installation and operation of containers, tanks, systems and equipment for storing, utilization, handling and transporting liquefied petroleum gases; to create the Alabama Liquefied Petroleum Gas Commission and define its duty and authority; to provide for permits, permit fees and insurance and bond requirements of persons engaged in the businesses defined in this Act; to provide for a minimum amount of storage of liquefied petroleum gas by persons engaged in businesses defined in this Act; to provide penalties for the violation of this Act and any rule, or order promulgated pursuant hereto and to provide for the effective date of this Act", said Act being known as the "Alabama Liquefied Petroleum Gas Act".

Committee on Judiciary.

## REPORTS OF COMMITTEES

Mr. Faulkner, Chairman of the Standing Committee on Education, re-

ported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Faulkner:

S. 457. Relating to the Teachers' Retirement System; to allow prior service credit for military service during World War I.

By Messrs. Fite (Marion), Wilson, McClendon, Adams (Tallapoosa), Butler, Johnson, Harrison (Shelby), Leonard, Payne, White (Covington), Miller, Hawkins (Etowah) and Dumas:

H. 566. To amend Sections 364 and 365 of Title 52 of the Code of Alabama of 1940, which relates to the Teachers' Retirement System.

By Mr. Faulkner:

S. 396. To amend Section 352 of Title 52 of the 1940 Code of Alabama which relates to continuing service status of teachers.

Mr. Pinson, Chairman of the Standing Committee on Public Welfare and Correctional Institutions, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Martin:

H. 745. Relating to prisons and prisoners; amending Section 153 of Title 14, Code of Alabama (1940).

At 3 o'clock P. M. Mr. Johnston (Mobile) moved that the Senate adjourn until Friday, July 27, 1951, at 10 o'clock A. M., which motion was lost.

Yeas 9; Nays 22.

Yeas:

Messrs.:	Johnston (Mobile)	Richardson	Skidmore	
Boutwell	Jones	Robison	Wright	
Golson	Beneneau			—9

Nays:

Messrs.:	Fant	Larkins	Smith	
Andrews	Farmer	Locke (Choctaw)	Sollie	
Benson	Faulkner	Locke (Perry)	Thagard	
Bonner	Foster	Norrell	Todd	
Byars	Hollis	Phillips	Whately	
Eddins	Johnson (Chambers)	Pinson		—22

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 398. To abolish the office of Deputy Circuit Solicitor and County Solicitor for Talladega County, Alabama, and to require the Circuit Solicitor of any Judicial Circuit embracing only Talladega County to represent the State of Alabama and Talladega County in all ways required of the County Solicitor by law.

Also:

S. 411. To regulate the office of Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census; to fix the compensation of the Sheriff of said counties and to provide for help and assistants and other expense necessary to the conduct of the office of sheriff; to provide for necessary quarters, books, stationery and other necessities necessary to the operation of said office; to provide that the Sheriff shall pay into the county treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to provide that the Board of Revenue, or court of like jurisdiction, shall audit the accounts of said Sheriff for the purpose of requiring a strict compliance with the provisions of this Act; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of the deputies except in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of Sheriffs, and to provide for the bond for the Sheriff and to provide for the payment of Sheriff's and deputies' bonds out of the county treasury; authorizing the Sheriff to appoint an attorney to advise or represent him, and to fix the compensation of said attorney to be paid out of the general fund of the county by the Board of Revenue or like governing body; and providing when and where this Act shall become effective.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bill, your signature thereto is requested.

H. J. R. 78. Relative to expressing appreciation to Thomas W. Martin for his work in the fields of industry, education, research and history.

Also:

H. 731. To re-divide the State into Judicial circuits and provide for the compensation, election and/or appointment of the Judge and Solicitor of the newly created Circuit.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Garrett, Mathews, Tumlin, Tennille, Hankins, Miller, Coburn, Pruitt, Roberts, Scruggs, Lee, Harvey, Plott, White (Cullman), Black, Langdon, Sellers, Hall, Bassett, Taylor, Wesley, McNider, Pfleger, Faulk, Harrison (Shelby), Russell, Grouby, Davis, Malone (Houston), Engelhardt, Cole, Brassell, Solomon, Butler, McClendon, Reynolds (Chambers), Beatty, Meeks and Brown:

H. 772. Relating to the distribution of the motor vehicle and trailer license tax; amending Section 713, Title 51, Code of Alabama (1940), as amended by Act No. 471, S. 305, Acts of Alabama, 1949, p. 688.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 772—To the Committee on Finance and Taxation.

### BILLS ON THIRD READING

The Bill:

H. 183. To propose an Amendment to the Constitution of the State of Alabama, amending Section 138 of Article 5, of the Constitution of Alabama as amended by Amendment XXXV; to order an election for the qualified electors of the State of Alabama upon such proposed amendment to be held at the general election next succeeding the session of the Legislature at which this amendment is proposed, and, to provide for notice to be given by the Governor for the holding of said election.

was taken up.

Mr. Smith offered the following amendment to the Bill, to-wit:

Amend H. B. 183 by striking from Section 1 thereof the words "provided, that the terms of all sheriffs expiring in the year 1955 are hereby extended until the first Monday after the second Tuesday of January Nineteen Hundred Fifty Seven" and inserting in lieu thereof the following: "provided, that nothing contained herein shall be construed to extend or abridge the term of any incumbent sheriff."

On motion of Mr. Reneau said amendment was laid on the table.

Yeas 20; Nays 12.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison
Andrews	Faulkner	Norrell	Sollie
Byars	Golson	Phillips	Thagard
Clayton	Hollis	Pinson	Todd
Eddins	Jones	Reneau	Wright
Fant			

—20

Nays:

Messrs.:	Foster	Locke (Perry)	Skidmore
Benson	Johnson (Chambers)	McCary	Smith
Bonner	Johnston (Mobile)	Richardson	Whitley
Boutwell			

—12

Mr. Smith then offered the following amendment to the Bill, to-wit:

Amend H. B. 183 by adding at the end of Section 1 thereof the following:

"It is provided, however, that the provisions of this Amendment shall not apply to the Sheriff of any County unless a majority of the electors of said county voting in the election on the Amendment vote in favor of it."

On motion of Mr. Reneau said amendment was laid on the table.

Yeas 22; Nays 9.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Soilie	
Andrews	Faulkner	Norrell	Thagard	
Byars	Golson	Phillips	Todd	
Clayton	Hollis	Pinson	Whately	
Eddins	Johnson (Chambers)	Reneau	Wright	
Fant	Jones	Robison		—22

Nays:

Messrs.:	Boutwell	McCary	Skidmore	
Benson	Foster	Richardson	Smith	
Bonner	Johnston (Mobile)			—9

Mr. Smith then offered the following amendment to the Bill, to-wit:

Amend H. B. 183 by adding at the end of Section 1 thereof the following:

"It is provided, however, that the terms of office of the respective sheriffs of Cherokee, DeKalb, Madison, Jefferson, Mobile, Jackson, Lawrence, Calhoun and Tuscaloosa shall be four years unless a majority of the electors of each of the named counties, respectively, shall vote in favor of the adoption of this amendment at the time of its submission."

On motion of Mr. Reneau said amendment was laid on the table.

Yeas 20; Nays 12.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Reneau	
Andrews	Faulkner	Locke (Perry)	Robison	
Byars	Golson	Norrell	Sollie	
Clayton	Hollis	Phillips	Todd	
Eddins	Jones	Pinson	Whately	
Fant				—20

Nays:

Messrs.:	Foster	McCary	Smith	
Benson	Johnson (Chambers)	Richardson	Thagard	
Bonner	Johnston (Mobile)	Skidmore	Wright	
Boutwell				—12

And said Bill was then read a third time at length as required by the Constitution and passed.

Yeas 23; Nays 8.

Yeas:

Messrs.:	Clayton	Farmer	Hollis	
Andrews	Eddins	Faulkner	Johnson (Chambers)	
Byars	Fant	Golson	Jones	



Locke (Choctaw)	Phillips	Robison	Todd
Locke (Perry)	Pinson	Sollie	Whatley
Norrell	Reneau	Thagard	Wright

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*Nays:*

Messrs.:	Foster	McCary	Skidmore
Bonner	Johnston (Mobile)	Richardson	Smith
Boutwell			

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#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Romine, Kendall, Solomon, Fite (Marion), Merrill, Meeks, Givhan and Butler:

H. 229. To impose extra, new, and additional duties upon certain state officers, and providing additional compensation for their performance thereof.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 229—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Dawkins:

H. 537. To amend Section 25 of Title 26, 1940 Code, as amended, relating to Divisions of the Department of Industrial Relations.

Also:

By Mr. Garrett:

H. 605. To validate and confirm any election held pursuant to or as authorized by the Constitutional Amendment submitted by Act No. 1, H. 15, as passed by the Legislature at the Fourth Special Session of 1950.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 537—To the Committee on Immigration, Industrial Resources and Labor.

H. B. 605—To the Committee on Privileges and Elections.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Dawkins:

H. 536. To amend Section 185, Title 26, 1940 Code of Alabama, as amended, relating to the definition of "Employer" under the Unemployment Compensation Law, and Section 204, Title 26, 1940 Code of Alabama, as amended, relating to Experience Rating under the Unemployment Compensation Law.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 536—To the Committee on Immigration, Industrial Resources and Labor.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Dawkins:

H. 531. To amend Section 240 of Title 26, 1940 Code of Alabama, as amended, relating to the collection of delinquent unemployment compensation taxes.

Also:

By Mr. Dawkins:

H. 532. To amend Section 212 of Title 26, 1940 Code of Alabama as amended, relating to military service benefits.

Also:

By Mr. Dawkins:

H. 533. To amend Section 251, Title 26, 1940 Code of Alabama, relating to penalties for violations of the State Unemployment Compensation Law.

Also:

By Mr. Dawkins:

H. 534. To amend Section 191, Title 26, 1940 Code of Alabama, as amended, relating to the definition of wages under the State Unemployment Compensation Law

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 531, 532, 533 and 534—To the Committee on Immigration, Industrial Resources and Labor.

REPORT OF COMMITTEE  
ON  
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the Twenty-third Legislative Day approved by the Senate.

ADJOURNMENT

At 4:20 P. M., on motion of Mr. Foster and in accordance with joint resolution heretofore adopted, the Senate adjourned until tomorrow, Friday, July 27, 1951 at ten o'clock A. M.

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TWENTY-FOURTH LEGISLATIVE DAY

FRIDAY, JULY 27, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

PRAYER

The Session was opened with prayer by Rev. H. W. Williamson, Pastor, St. Marks Methodist Church.

ROLL CALL

Present:

Messrs.:	Faulkner	Locke (Choclaw)	Robison
Andrews	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Reneau	Whatley
Fant	Jones	Richardson	Wright
Farmer	Larkins		

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JOURNAL

On motion of Mr. Clayton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Clayton leave of absence was granted Mr. Benson for today.

On motion of Mr. Hollis leave of absence was granted Mr. Quarles for today.

### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Jones, Locke (Choctaw) and Hollis:

S. B. 539. To repeal Section 2 of Act No. 302, S. 227, approved August 14, 1947, which allows the State Department of Veterans Affairs, through the State Service Commissioner, subject to the approval of the State Board of Veterans Affairs to contract with Veterans' Organizations for the performance of duties pertaining to the presenting, pursuing and prosecuting of veterans' claims and to compensate said veterans' organizations for their services.

Committee on Finance and Taxation.

By Mr. High:

S. B. 540. Relating to county courts in counties having populations of not less than 80,000 nor more than 94,000 inhabitants; imposing extra, new, and additional duties upon the constables of such courts and providing them additional compensation for their performance thereof.

Committee on Local Legislation.

By Mr. High:

S. B. 541. To impose new and additional duties on the solicitor of the Sixteenth Judicial Circuit; to provide him additional compensation for the performance of such duties and provide for the method of paying such compensation.

Committee on Local Legislation.

By Mr. High:

S. B. 542. Relating to counties having populations of not less than 80,000 nor more than 94,000 inhabitants; providing for the furnishing of equipment, supplies, clerks, deputies and other assistants for certain county officers in such counties.

Committee on Local Legislation.

By Mr. High:

S. B. 543. To amend Section 2 of Act No. 436, H. 852, approved September 25, 1947 (General Acts of Alabama, 1947, page 316), which provides for a chief clerk for the circuit solicitor in all judicial circuits composed of only two counties, one of which counties is divided into two judicial divisions, and having only two judges.

Committee on Local Legislation.

By Mr. High:

S. B. 544. Relating to county courts in counties having a population of not less than 80,000 nor more than 94,000 inhabitants; imposing extra, new, and additional duties upon the judges of such courts, and providing additional compensation for the performance thereof.

Committee on Local Legislation.

By Mr. Todd:

S. B. 545. Relating to the City of Russellville, Franklin County; abolishing the City Board of Education and establishing in lieu thereof the Education Commission of the City of Russellville; providing for its organization, procedures, powers and duties, and for the selection, qualifications and compensation of its members.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL NOTICE

STATE OF ALABAMA  
COUNTY OF FRANKLIN

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the City of Russellville, Franklin County; abolishing the City Board of Education and establishing in lieu thereof the Education Commission of the City of Russellville; providing for its organization, procedures, powers and duties, and for the selection, qualifications and compensations of its members.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Education of the City of Russellville, Franklin County, is hereby abolished and there is created in lieu thereof the Education Commission of the City of Russellville.

Section 2. The Education Commission of the City of Russellville shall be composed of three members, who shall be elected by the qualified electors of the City at the general election of 1952 and every four years thereafter. They shall hold office for a term of four years from the July 1 next following their election and until their successors are elected and qualified. Vacancies on the Commission shall be filled for the unexpired term by appointment of the Governor. Immediately upon the effective date of this Act the Governor shall appoint three persons to serve as members of the Commission until the commencement of the terms of the first members elected under the provisions of this Act.

Section 3. All members of the commission shall be residents of the City of Russellville and shall be persons of good character. No person shall be elected or appointed to the Commission who is a member of the governing body of the city or is in any way subject to the authority of the Commission.

Section 4. The Commission shall elect from among its members a chairman and vice-chairman. A majority of the members of the Commission shall constitute a quorum for the transaction of business. Meetings of the Commission shall be held upon the call of the chairman or a majority of the members thereof. Each member of the Commission shall receive five dollars for each meeting of the Commission attended by him, which amount shall be paid from the city school funds.

Section 5. The office of the Commission shall be in the principal school building of the city, unless otherwise adequately provided for.

Section 6. All purchases in excess of fifty dollars made for the city schools or with city school funds must be approved by the Commission.

Section 7. Except as otherwise provided herein, the Commission shall have the same powers, authority and duties, and shall be governed by the same procedures as prescribed for city boards of education by the general laws of the state.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. The provisions of this Act are severable. If any part of

the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law. 7 5 4tc

### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. C. Giles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the year 1951.

M. C. GILES.

Sworn to and subscribed before me July 27, 1951.

J. B. WEATHERFORD,  
Notary Public.

My Commission Expires Feb. 16, 1952.

By Messrs. Locke (Choctaw) and Locke (Perry):

S. B. 546. Relating to actions or proceedings involving the title to lands; creating certain presumptions as to title upon the payment of taxes for certain periods of years by any person holding under color of title.

Committee on Judiciary.

By Messrs. Andrews, Phillips, Eddins, Locke (Perry), Locke (Choctaw), Larkins, Whatley, Byars, Thagard and Sollie:

S. B. 547. Relating to the Legislature and legislative representation: To fix the number of representatives and apportion them among the several counties of the State.

Committee on Judiciary.

By Mr. High:

S. B. 548. Relating to counties having populations of not less than 80,000 nor more than 94,000 inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a division of any such county into forest protection districts, imposing extra, new, and additional duties upon the president or chairman and members of the county governing body with respect to such districts, and providing additional compensation for the performance of such additional duties.

Committee on Local Legislation.

By Mr. Wright:

S. B. 549. Relating to the office of circuit clerk of any county having a population of not less than 63,750 nor more than 72,500 inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the United States; fixing the salary of the circuit clerk and providing for his clerical assistance, supplies, and office space.

Committee on Local Legislation.

By Mr. Wright:

S. B. 550. Relating to counties having populations of not less than 63,750 nor more than 72,500 inhabitants according to the preliminary

count of the 1950 federal census or any subsequent decennial census of the United States; fixing the compensation of the Sheriff of any such county.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute—with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Jones and Hollis (with substitute—with amendment):

S. 359. To define, regulate and license barbers and barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, to fix and prescribe license fees for barbers, barber colleges and like businesses, to prescribe penalties and punishment for the violation of this act, in counties of the State of Alabama having a population of less than two hundred and twenty-five thousand, according to the last or any subsequent federal census.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Clayton and Skidmore (with substitute):

S. 455. Relating to criminal procedure; amending Section 7, Title 15, Code of Alabama (1940), which prescribes a rule for addressing petitions in habeas corpus proceedings.

By Mr. Clayton (with substitute):

S. 355. To provide that any person convicted of a felony and sentenced to death and who applies for executive clemency and whose sentence is by the Governor commuted to life imprisonment shall not thereafter be eligible for pardon or parole.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendments, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Skidmore (with amendment):

S. 367. Relating to the registration of motor vehicles; making it unlawful for any person to register a motor vehicle or secure the issuance of a motor vehicle license tag, tab, stamp, or other device therefor under an assumed or fictitious name or any name except his own.

By Messrs. Johnston (Mobile) and Skidmore (with amendments):

S. 496. Relating to the administration of pardons, paroles, and the remission of fines and forfeitures; amending Chapter 1, Title 42, Code of Alabama (1940).

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Johnson (Chambers):

S. 524. To provide for a commission to study and make recommendations for economy and more efficiency in State Government.

By Mr. Adams (Jefferson):

H. 427. To amend Section 70 of Title 36 of the Code of Alabama (1940) which relates to the penalty for a person driving a motor vehicle while his license or driving privilege is cancelled, suspended or revoked.

By Messrs. Gallalee, Wilkins and Pflieger:

H. 350. To amend Section 6 of Act No. 542, S. 193, approved September 7, 1949 (Acts of Alabama, 1949, page 852) known as the Uniform Simultaneous Death Act.

By Messrs. Gallalee, Pflieger and Wilkins:

H. 349. To amend Section 3 of Title 20 of the Code of Alabama, 1940, which relates to certain contracts which are void unless in writing.

By Mr. Adams (Jefferson):

H. 278. To amend Section 477 of Title 7 of the Code of Alabama (1940), which authorizes the propounding of interrogatories to the adverse party in civil suits.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite (Marion) (with amendment):

H. 259. To amend section 210 of Title 29 of the Code of Alabama of 1940.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Adams (Jefferson), Eslick, Tennille and Sellers:

H. 232. To provide that in detinue suits for the recovery of household furniture and equipment in which the plaintiff has made affidavit and bond as required by law, service on the defendant may be perfected by the sheriff's or other officer authorized to serve process by leaving a copy of the summons and complaint at the place where the property sued for is located and seized from, and providing for the type of judgment that may be had on such type of service.

By Mr. Fite (Walker):

H. 112. To amend Section 63 of Title 9 of the Code of 1940 as amended.

By Mr. Fite (Walker):

H. 109. To amend Section 788 of Title 7 of the Code of 1940.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Romine, Miller, Denton, Adams (Jefferson), Coburn, Roberts, Tumlin, Scruggs, Lee, Meeks, Harvey, Pruitt, Hankins, Plott, Harrison (Shelby), Russell, White (Cullman), Black, Langdon, Sellers, Hall, Tennille, Bassett, Taylor, Wesley, Mathews, Garrett, McNider, Pflieger, Faulk, Grouby, Davis, Malone (Houston), Engelhardt, Cole, Brassell, Solomon, Butler, Reynolds (Chambers), McClendon, Beatty and Brown:

H. 773. To further provide for the general revenue of the State of



Alabama and to fix the license and registration fee on certain motor vehicles.

By Messrs. Garrett, Mathews, Tumlin, Tennille, Hankins, Miller, Coburn, Pruitt, Roberts, Scruggs, Lee, Harvey, Plott, White (Cullman), Black, Langdon, Sellers, Hall, Bassett, Taylor, Wesley, McNider, Pfleger, Faulk, Harrison (Shelby), Russell, Grouby, Davis, Malone (Houston), Engelhardt, Cole, Brassell, Solomon, Butler, McClendon, Reynolds (Chambers), Beatty, Meeks and Brown:

H. 772. Relating to the distribution of the motor vehicle and trailer license tax; amending Section 713, Title 51, Code of Alabama (1940), as amended by Act No. 471, S. 305, Acts of Alabama, 1949, p. 688.

By Mr. Byars:

S. 465. To amend Section 260 of Title 13 of the Code of Alabama (1940) which relates to the compensation of Solicitors and Deputy Solicitors.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Reneau (with substitute):

S. 284. To fix the compensation of court reporters, and providing for the payment thereof.

Mr. Thagard, Chairman of the Standing Committee on Corporations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hawkins (Etowah):

H. 313. To amend Section 12 of Title 10 of the Code of Alabama (1940) which relates to alphabetical list of corporations kept by secretary of state.

By Mr. Brannan:

H. 225. To amend Section 14 of Act No. 281, S. 1, 1945 General Acts, page 445.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Larkins (with notice and proof):

S. 532. To amend Section 1 of Act No. 634, H. 1057, approved July 10, 1940, entitled, "An Act, to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict herewith."

Mr. Locke (Choctaw), Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Kaul:

H. 352. To amend Section 218, Title 8 of the Code of Alabama 1940.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Dawkins:

H. 535. To amend Section 224, Title 26, 1940 Code of Alabama, as amended, relating to termination of employer's coverage under the State Unemployment Compensation Law.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 535—To the Committee on Immigration, Industrial Resources and Labor.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Kendall, Givhan, Solomon and Summerlin:

H. J. R. 79. BE IT RESOLVED by the House, the Senate Concurring; that

WHEREAS, the American cotton farmer has made every effort to reach the cotton acreage goals requested by the Secretary of Agriculture to meet our defense needs and alleviate in part the world cotton shortage, and

WHEREAS, this effort has been made in the face of unprecedented high costs for labor, equipment, insecticides, seed and fertilizer, and

WHEREAS, prices for cotton have declined some Fifty Dollars (\$50.00) per bale and appear likely to go lower and such declines are likely to reduce acreage in 1952 when further larger production will be needed.

BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING:

That the Secretary of Agriculture, Hon. Charles Brannan, be memorialized to hold public hearings concerning cotton support prices under the provisions of Public Law 439—81st Congress, Chapter 792—1st Session H. R. 5345, which provides that after such hearings a commodity may be supported at full parity in order to increase or maintain production of that commodity in the interest of National Security.

BE IT FURTHER RESOLVED THAT copies of this Resolution be sent to Secretary Brannan, every member of the Alabama Congressional Delegation, The President of the Alabama State Farm Bureau and the President of the National Farm Bureau.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk

## HOUSE MESSAGE

On motion of Mr. High the Rules were suspended and the Resolution, H. J. R. 79, set out in the foregoing Message from the House, was adopted by the Senate.

## BILL RECALLED AND REREFERRED

On motion of Mr. Reneau the Bill, S. B. 538, was recalled from the Standing Committee on Judiciary and was committed to the Standing Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 183. To propose an Amendment to the Constitution of the State of Alabama, amending Section 138 of Article 5, of the Constitution of Alabama as amended by Amendment XXXV; to order an election for the qualified electors of the State of Alabama upon such proposed amendment to be held at the general election next succeeding the session of the Legislature at which this amendment is proposed, and, to provide for notice to be given by the Governor for the holding of said election.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

## RESOLUTION

Mr. Boutwell offered the following Senate Resolution, to-wit:

S. R. 49. Requesting advisory opinions from the Justices of the Supreme Court relative to the constitutionality of S. B. 413.

Be it resolved by the Senate of Alabama, that the Justices of the Supreme Court of Alabama, or a majority of them, are hereby respectfully requested to give this body their written opinions on the following important constitutional questions which have arisen in connection with S. B. 413, a bill which is now pending before the legislature:

1. Does the provision of said bill reading as follows:  
"provided, the legislature may fix the number of senators, not exceeding one for each county, and divide the state into as many senatorial districts as there are senators, which districts shall be as nearly equal to each other in the number of inhabitants as may be, with no county to be divided between districts and no district to be made up of counties which are not contiguous to each other, such district to elect one senator and no more."

violate Section 197 of Article IX of the Constitution?

2. Does the provision of said bill quoted in question 1 violate Section 200 of Article IX of the Constitution?

3. Is not the provision of said bill quoted in question 1 in conflict with Section 197 and Section 200 of Article IX of the Constitution?

4. Is not the provision of said bill quoted in question 1 in conflict with other provisions of said bill which stipulates that representation in the legislature shall be based upon population and that such basis of representation shall not be changed by Constitutional Amendment?

5. Is the provision of said bill quoted in question 1 germane to Section 284 of Article XVIII of the Constitution which it purports to amend since the amendatory provision treats of the subject of representation in the legislature whereas Section 284 relates to mode of amendment of the Constitution?

Be it resolved further, that the Secretary of the Senate is hereby directed to transmit to the Clerk of the Supreme Court seven copies of this resolution and seven copies of S. B. 413.

Which was read and referred to the Standing Committee on Rules.

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Robison, further consideration of the bill, H. B. 627, was indefinitely postponed by the Senate.

#### BILLS ON THIRD READING

The Bill:

S. 297. To prohibit making of false written campaign statements, promises or pledges by any candidate for any office in Alabama, either State, County or municipal, and to provide punishments therefor.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 16; Nays 13.

Yeas:

Messrs.:	Golson	Locke (Perry)	Robison	
Bonner	Hollis	Phillips	Smith	
Boutwell	Johnston (Mobile)	Reneau	Sollie	
Clayton	Jones	Richardson	Thagard	
Faulkner				—16

Nays:

Messrs.:	Fant	Johnson (Chambers)	Skidmore	
Andrews	Farmer	Locke (Choctaw)	Todd	
Byars	Foster	McCary	Whatley	
Eddins	High			—13

The Bill:

S. 159. To impose extra, new, and additional duties upon the Secretary of the Senate and the Clerk of the House, providing additional compensation for the performance of such duties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Byars	Farmer	High
Andrews	Clayton	Faulkner	Hollis
Bonner	Eddins	Foster	Johnson (Chambers)
Boutwell	Fant	Golson	Jones

Larkins	Reneau	Skidmore	Whatley	
Locke (Choctaw)	Richardson	Sollie	Wright	
Locke (Perry)	Robison	Thagard		—26

Nays: —0

The Bill:

S. 477. Relating to Winston County: To abolish the present County Court of Winston County, Alabama; to provide for the transfer of all causes pending in said Court to the County Court of Winston County, Alabama, and to provide for the disposition of all unsatisfied judgments, executions and forfeitures in said present County Court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Reneau	
Andrews	Farmer	McCary	Richardson	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Pinson	Wright	
Eddins	Jones			—21

Nays: —0

The Bill:

H. 702. Relating to Dale County; authorizing and directing the governing body of Dale County to pay the salaries of clerical assistance for the Clerk of the Circuit Court; repealing conflicting laws, including Act No. 332, H. 721, approved August 15, 1947 (Local Acts, 1947, p. 238).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Sollie	
Andrews	Farmer	Larkins	Thagard	
Boutwell	Foster	McCary	Todd	
Byars	Golson	Reneau	Whatley	
Clayton	High	Richardson	Wright	
Eddins	Hollis			—21

Nays: —0

The Bill:

H. 587. To allow the Sheriff of Coosa County, Alabama, an additional deputy; to fix the salary of said deputy, and to make the same payable out of the general funds of Coosa County, Alabama, in monthly installments, and to provide when this Act shall take effect.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Byars	Fant	Golson
Andrews	Clayton	Farmer	High
Boutwell	Eddins	Foster	Hollis

Jones  
Larkins  
McCary

Norrell  
Phillips  
Pinson

Reneau  
Richardson

Smith  
Sollie

—21

**Nays:**

—0

**The Bill:**

H. 723. To provide for a discount or deduction equal to two per centum (2%) of the amount of the tax levied by Act No. 54 adopted at the 1951 Regular Session of the Legislature of Alabama entitled "An Act to impose in Montgomery County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, distributing, storing, or withdrawing from storage, for any use, of motor fuels as defined in the act, including (a) gasoline, diesel fuel oil, motor distillate, tractor fuel, and other liquid motor fuels or any devices or substitutes therefor commonly used in internal combustion engines, and (b) naphthas, kerosene oil, fuel oil, crude oil, and liquefied petroleum gases when distributed, sold, stored or withdrawn from storage for use in internal combustion engines; to provide that the said tax shall be collected and paid over to said county by distributors, retail dealers or storers, as defined in the act, of such motor fuels; to provide that the said tax shall be a levy upon the consumer, with the distributor, retail dealer and storer acting merely as agent of the county for its collection, provided, that when the storer of motor fuel is also the consumer thereof the tax shall be a levy upon said storer and consumer; to make it unlawful for any distributor, retail dealer, or storer to fail to add the tax to the sales price of any such motor fuels and collect from any purchaser thereof the amount due on account of said tax; to provide that the said tax shall be in addition to all other taxes including (without limitation) any privilege or license taxes levied by Sections 176 to 180, inclusive, as amended, and Sections 182 to 186, inclusive, of Title 51 of the Code of Alabama of 1940; to provide for certain exemptions from the tax; to require every distributor, retail dealer, or storer of such motor fuels to make monthly reports as to sales, distributions and withdrawals from storage of such motor fuels and to pay over monthly an amount of money equal to the tax; to require such distributors, storers and retail dealers to keep for not less than two years records of sales and distributions or withdrawals from storage of such motor fuels; to require such distributors, storers and retail dealers to report their addresses, and any changes therein, to the governing body of said county; to provide for reports by transportation companies of all shipments into Montgomery County of such motor fuels; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the governing body of said county to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage, or withdrawal from storage of motor fuels as defined herein; to provide for use of the proceeds from said tax, after deduction of the cost of collection, for certain public school purposes, including (without limitation) construction and equipment of school houses and payment of the principal of and interest on obligations issued for such construction and equipment, or either of them; to provide, in the event of any valid pledge, pursuant to general law, of any part of said tax proceeds, that the proceeds so pledged shall first be applied in satisfaction of such pledge, and, in the event of more than one such pledge, in satisfaction thereof in the order made; to provide for termination on the effective date of this act of the levy of the excise tax authorized under Act No. 271 adopted at the 1943 Regular Session of the Legislature: and to provide for the effective date of this act," and approved May 30, 1951, and to authorize each person, corporation, or other entity required by law to collect and pay over said tax to the governing body of Montgomery County to deduct an amount equal to said discount or deduction from the amount of said tax; provided, that such discount or deduction may be so deducted only with respect to payments of the tax

that are made when due and with respect to which the required statement was filed when due.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Jones	Robison	
Andrews	Farmer	Larkins	Smith	
Boutwell	Foster	Phillips	Sollie	
Byars	Golson	Pinson	Thagard	
Clayton	High	Reneau	Todd	
Eddins	Hollis			—21

*Nays:*

—0

The Bill:

H. 712. Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Reneau	
Andrews	Farmer	McCary	Richardson	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Pinson	Wright	
Eddins	Jones			—21

*Nays:*

—0

The Bill:

H. 711. Abolishing the fine and forfeiture fund of Winston County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	McCary	Richardson	
Andrews	Farmer	Norrell	Smith	
Boutwell	High	Phillips	Sollie	
Byars	Hollis	Pinson	Thagard	
Clayton	Jones	Reneau	Todd	
Eddins	Larkins			—21

*Nays:*

—0

The Bill:

H. 672. Relating to Cullman County to authorize the Board of Registrars of Cullman County to meet and be in session for sixty days for purging the registration list, and to provide compensation therefor to provide for clerk and other incidental expenses.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Pinson	
Andrews	Farmer	Larkins	Smith	
Boutwell	Foster	McCary	Sollie	
Byars	Golson	Norrell	Thagard	
Clayton	High	Phillips	Todd	
Eddins	Hollis			—21

Nays: —0

The Bill:

H. 671. To fix the compensation of the Tax Assessor of Cullman County for assessing and of the Tax Collector of Cullman County for collecting municipal ad valorem taxes in those municipalities in Cullman County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Phillips	Sollie	
Andrews	Farmer	Pinson	Thagard	
Boutwell	High	Reneau	Todd	
Byars	Hollis	Richardson	Whatley	
Clayton	Jones	Smith	Wright	
Eddins	Larkins			—21

Nays: —0

The Bill:

H. 440. To allow the sheriff of Cullman County, Alabama an additional deputy sheriff to that now provided by law; to fix a salary of said deputy and to make the same payable out of the general funds of Cullman County in monthly installments.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Richardson	
Andrews	Farmer	Larkins	Thagard	
Boutwell	Foster	Phillips	Todd	
Byars	Golson	Pinson	Whatley	
Clayton	High	Reneau	Wright	
Eddins	Hollis			—21

Nays: —0

The Bill:

H. 300. To provide for the payment into the general fund of Madison County of all witness fees in the Inferior Court of Huntsville which are unclaimed for a period of ninety days.

Was read a third time at length and passed.



Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Sollie	
Andrews	Farmer	Jones	Thagard	
Boutwell	Faulkner	Larkins	Todd	
Byars	Foster	Reneau	Whatley	
Clayton	Golson	Richardson	Wright	
Eddins	High			—21

Nays: —0

The Bill:

H. 594. For the relief of John H. Tyson of Auburn, Lee County, who was injured while acting within the line and scope of his employment by Alabama Polytechnic Institute; authorizing a payment to John H. Tyson from any funds appropriated to the use of Alabama Polytechnic Institute.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	McCary	Richardson	
Andrews	Farmer	Norrell	Thagard	
Boutwell	Hollis	Phillips	Todd	
Byars	Jones	Pinson	Whatley	
Clayton	Larkins	Reneau	Wright	
Eddins	Locke (Perry)			—21

Nays: —0

The Bill:

H. 691. To alter or rearrange the boundary lines of the Town of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said Town all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Pinson	
Andrews	Farmer	Jones	Smith	
Boutwell	Faulkner	McCary	Sollie	
Byars	Foster	Norrell	Thagard	
Clayton	Golson	Phillips	Todd	
Eddins	High			—21

Nays: —0

The Bill:

H. 714. To place additional duties and responsibilities upon the members of the Board of Revenue of Walker County, Alabama, and to provide additional compensation therefor.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Hollis	Phillips	
Andrews	Farmer	Jones	Pinson	
Boutwell	Faulkner	Larkins	Todd	
Byars	Foster	McCary	Whatley	
Clayton	Golson	Norrell	Wright	
Eddins	High			—21

*Nays:* —0

The Bill:

H. 634. Relating to Winston County; imposing extra, new, and additional duties upon the members of the Court of County Commissioners and providing additional compensation to such members for their performance thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Hollis	Phillips	
Andrews	Farmer	Jones	Pinson	
Boutwell	Faulkner	Larkins	Sollie	
Byars	Foster	McCary	Thagard	
Clayton	Golson	Norrell	Todd	
Eddins	High			—21

*Nays:* —0

The Bill:

H. 677. To fix the compensation of the Tax Assessor of Conecuh County for assessing and of the Tax Collector of Conecuh County for collecting municipal ad valorem taxes in those municipalities in Conecuh County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Foster	McCary	Richardson	
Andrews	Golson	Norrell	Smith	
Boutwell	High	Phillips	Sollie	
Byars	Hollis	Pinson	Thagard	
Clayton	Jones	Reneau	Todd	
Faulkner	Larkins			—21

*Nays:* —0

The Bill:

H. 729. Authorizing and directing the Governing Body of Talladega County, Alabama, to make an appropriation out of the general fund of Talladega County, Alabama, for the relief of Willie Fair and Leathia Fair to reimburse them for funeral expenses and damages suffered as a result of the death of Jim Fair, their father and husband, respectively, which death occurred during the line and scope of Jim Fair's employment by Talladega County, on to-wit, the 7th day of August, 1950.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	McCary	Sollie	
Andrews	Farmer	Norrell	Thagard	
Boutwell	High	Phillips	Todd	
Byars	Hollis	Pinson	Whatley	
Clayton	Jones	Smith	Wright	
Eddins	Larkins			—21

*Nays:*

—0

The Bill:

H. 730. To alter and rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Hollis	Smith	
Andrews	Farmer	Jones	Sollie	
Boutwell	Faulkner	Larkins	Todd	
Byars	Foster	Pinson	Whatley	
Clayton	Golson	Reneau	Wright	
Eddins	High			—21

*Nays:*

—0

The Bill:

H. 750. To amend Sections 8 and 11 of Act No. 445, Local Acts, 1947, page 303, establishing a Court of Common Pleas for Autauga County, Alabama, and to further provide for its officers, their powers and duties and compensations.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	McCary	Sollie	
Andrews	Farmer	Norrell	Thagard	
Boutwell	High	Phillips	Todd	
Byars	Hollis	Pinson	Whatley	
Clayton	Jones	Smith	Wright	
Eddins	Larkins			—21

*Nays:*

—0

The Bill:

H. 752. Relating to Escambia County; authorizing the governing body of the County to pay the compensation of an additional deputy sheriff, to be appointed by the Sheriff of Escambia County and to be stationed by him at Atmore.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	McCary	Sollie
Andrews	Golson	Norrell	Thagard
Eddins	High	Phillips	Todd
Fant	Hollis	Pinson	Whatley
Farmer	Jones	Smith	Wright
Faulkner	Larkins		

--21

Nays:

—0

The Bill:

H. 757. To authorize the Court of County Commissioners of Bibb County, Alabama, to provide an additional deputy sheriff for Bibb County, Alabama, in addition to the deputies now provided by law, to be appointed by and to serve at the pleasure of the sheriff; to provide for the annual salary of such deputy to be determined by said Court of County Commissioners which said annual salary shall not be less than One Thousand and eight hundred dollars (\$1800) nor more than Two Thousand Four Hundred dollars (\$2400), per year, payable in equal monthly installments from the general fund of said county; and to provide that the said Court of county commissioners shall have power and authority to revoke the provisions and allowances for said deputy sheriff at any time.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Pinson
Andrews	Farmer	Locke (Perry)	Reneau
Boutwell	Golson	McCary	Richardson
Byars	High	Norrell	Smith
Clayton	Hollis	Phillips	Sollie
Eddins	Jones		

—21

Nays:

—0

The Bill:

S. 478. Relating to Winston County: To create and establish the County Court of Winston County, Alabama; to define its jurisdiction and powers; to invest it with the criminal and civil jurisdiction concurrent with that of the justices of the peace of the County of Winston, Alabama, and all jurisdiction of the present County Court of Winston County, Alabama; to invest it with the powers and jurisdiction in criminal cases, non-support cases and juvenile cases heretofore exercised by the Judge of Probate of Winston County, Alabama, and to withdraw and take away from the Judge of Probate of Winston County all jurisdiction conferred by this Act upon the County Court of Winston County, Alabama; to provide for the time and place of holding said Court; to provide for the Judge and officers of said Court, their powers, duties, tenure and compensation; to prescribe the fees, costs and rules of procedure of said Court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Farmer	Foster
Andrews	Fant	Faulkner	Golson

High	McCary	Smith	Todd	
Hollis	Norrell	Sollie	Whatley	
Jones	Phillips	Thagard	Wright	
Larkins	Pinson			—21

*Nays:* —0

The Bill:

S. 485. To impose extra, new, and additional duties upon the Superintendent of Education of Lawrence County, Alabama, and to provide additional compensation for the performance of such duties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Foster	McCary	Richardson	
Andrews	Golson	Norrell	Thagard	
Eddins	High	Phillips	Todd	
Fant	Hollis	Pinson	Whatley	
Farmer	Jones	Reneau	Wright	
Faulkner	Larkins			—21

*Nays:* —0

The Bill:

S. 486. Relating to St. Clair County; repealing an Act approved November 3, 1932 (Act No. 202, H. 416) entitled "An Act to provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	McCary	Sollie	
Andrews	Farmer	Norrell	Thagard	
Boutwell	High	Phillips	Todd	
Byars	Hollis	Pinson	Whatley	
Clayton	Jones	Smith	Wright	
Eddins	Larkins			—21

*Nays:* —0

The Bill:

S. 487. Relating to the Court of Common Pleas of Elmore County; amending Sections 5, 8, 9, and 17 of the Act approved June 2, 1943 (No. 90, H. 374, Local Acts, 1943, p. 47) which created and established the Court of Common Pleas of Elmore County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Boutwell	Fant	Golson
Andrews	Byars	Farmer	High

Hollis	Norrell	Smith	Todd	
Jones	Phillips	Sollie	Whatley	
Larkins	Pinson	Thagard	Wright	
McCary	Reneau			—21

*Nays:* —0

The Bill:

S. 498. Relating to Butler County; amending Section 7 of the Act approved May 23, 1951 (Act No. 27, H. 213, Regular Session, 1951) entitled "An Act to create and establish in Butler County, in lieu of the county court and the juvenile court, a court of record with county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein"; making the amendment retroactive.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Jones	Reneau	Sollie	
Andrews	Larkins	Richardson	Thagard	
Boutwell	McCary	Robison	Todd	
Byars	Norrell	Skidmore	Whatley	
Fant	Phillips	Smith	Wright	
Farmer	Pinson			—21

*Nays:* —0

The Bill:

S. 503. To alter, rearrange, and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Hollis	Sollie	
Andrews	Farmer	Jones	Thagard	
Boutwell	Faulkner	Larkins	Todd	
Byars	Foster	Skidmore	Whatley	
Clayton	Golson	Smith	Wright	
Eddins	High			—21

*Nays:* —0

The Bill:

S. 510. To vacate and abandon that certain Park in the Plat of Highland Park in the City of Montgomery, County of Montgomery, State of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	High	Phillips	Sollie	
Andrews	Hollis	Pinson	Thagard	
Farmer	Jones	Robison	Todd	
Faulkner	Larkins	Skidmore	Whatley	
Foster	McCary	Smith	Wright	
Golson	Norrell			—21

*Nays:* —0

The Bill:

S. 466. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the preliminary count of the 1950 federal census or any subsequent federal census and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Hollis	Phillips	
Andrews	Farmer	Jones	Pinson	
Boutwell	Faulkner	Larkins	Reneau	
Byars	Foster	McCary	Richardson	
Clayton	Golson	Norrell	Wright	
Eddins	High			—21

*Nays:* —0

The Bill:

S. 449. To provide for an additional coroner in all counties having a population of not less than 30,000 and not more than 40,000 according to the last and any subsequent Federal census, and having two courthouses.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Andrews	Farmer	Phillips	Thagard	
Boutwell	Golson	Pinson	Todd	
Byars	High	Reneau	Whatley	
Clayton	Hollis	Richardson	Wright	
Eddins	Jones			—21

*Nays:* —0

The Bill:

H. 704. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Pickens County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Pickens County and the location of new industries or businesses therein to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell se-

curities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Richardson	
Andrews	Faulkner	McCary	Sollie	
Boutwell	Foster	Norrell	Thagard	
Byars	Golson	Phillips	Todd	
Clayton	High	Pinson	Whatley	
Eddins	Hollis	Reneau	Wright	
Fant	Jones			—25

Nays: —0

The Bill:

H. 741. Relating to counties having populations of not less than 100,000 nor more than 200,000 inhabitants; To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amendment to H. B. 741.

Amend the caption of H. B. 741 and amend the said bill by striking from the caption and the body of said bill the words and figures "one hundred thousand" (100,000) wherever same appear in said caption and the body of said bill and substitute in lieu thereof the words and figures, "ninety-six (96,000) thousand. Amend said caption and the body of said bill further by striking the words and figures "two hundred thousand (200,000) wherever same appear in the caption and body of said bill and substitute in lieu thereof, the words and figures, "one hundred forty thousand (140,000).

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Smith	
Andrews	Farmer	Jones	Sollie	
Boutwell	Faulkner	Larkins	Todd	
Byars	Foster	Reneau	Whatley	
Clayton	Golson	Robison	Wright	
Eddins	High			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.



Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Smith	
Andrews	Farmer	Jones	Sollie	
Boutwell	Faulkner	Larkins	Todd	
Byars	Foster	Reneau	Whatley	
Clayton	Golson	Robison	Wright	
Eddins	High			—21

Nays: —0

The Bill:

S. 484. To propose an amendment to the Constitution of Alabama relating to Lawrence County authorizing the creation of special school districts in said County, special school district taxes, the construction, improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

Was read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Richardson	
Andrews	Faulkner	McCary	Sollie	
Boutwell	Foster	Norrell	Thagard	
Byars	Golson	Phillips	Todd	
Clayton	High	Pinson	Whatley	
Eddins	Hollis	Reneau	Wright	
Fant	Jones			—25

Nays: —0

The Bill:

S. 160. To impose extra, new, and additional duties upon the Attorney General of Alabama; to provide additional compensation for the performance of the extra, new, and additional duties hereby imposed upon him; and to provide for the payment of additional compensation for the performance of such duties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 24; Nay 1.

Yeas:

Messrs.:	Farmer	Johnston (Mobile)	Richardson	
Andrews	Faulkner	Jones	Robison	
Bonner	Foster	Larkins	Skidmore	
Byars	High	Locke (Choctaw)	Sollie	
Clayton	Hollis	Phillips	Thagard	
Eddins	Johnson (Chambers)	Reneau	Wright	
Fant				—24

Nay: Mr. Golson —1

The Bill:

H. 68. To authorize and provide for the payment of the sum of \$2,850.00 out of any funds in the State Treasury to the credit of the High-

way Patrol Fund for the relief of Maurice S. Chambers, to reimburse him for hospital, doctor and medical bills, and for compensation for injuries received by him by reason of an accident occurring on the 14 day of August, 1948, while the said Maurice S. Chambers was employed by the State of Alabama as a member of the State Highway Patrol, and while he was acting in the line and scope of his employment as a patrolman.

Was read a third time at length and passed.

Yeas 27; Nays 0.

*Yeas:*

Messrs.:	Fant	Johnston ( <i>Mobile</i> )	Reneau
Andrews	Farmer	Jones	Richardson
Bonner	Faulkner	Larkins	Robison
Boutwell	Foster	Locke ( <i>Choctaw</i> )	Skidmore
Byars	High	Locke ( <i>Perry</i> )	Smith
Clayton	Hollis	McCary	Sollie
Eddins	Johnson ( <i>Chambers</i> )	Pinson	Thagard

—27

*Nays:*

—0

The Bill:

S. 499. To amend Section 10 of Title 25 of the Code of Alabama of 1940 relating to commissioners or employees of Municipal Authorities interested in property, materials or services in connection with any housing project.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 27; Nays 0.

*Yeas:*

Messrs.:	Fant	Johnston ( <i>Mobile</i> )	Richardson
Andrews	Farmer	Jones	Robison
Bonner	Faulkner	Larkins	Skidmore
Boutwell	Golson	Locke ( <i>Choctaw</i> )	Smith
Byars	High	Locke ( <i>Perry</i> )	Sollie
Clayton	Hollis	McCary	Thagard
Eddins	Johnson ( <i>Chambers</i> )	Reneau	Wright

—27

*Nays:*

—0

The Bill:

H. 645. To repeal Act No. 310, General Laws of Alabama, approved July 28, 1949, and to provide for the liquidation and distribution of each retirement fund therein provided for, and for the distribution of the moneys now held in each of the funds provided by said Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Clayton	Foster	Jones
Andrews	Eddins	Golson	Larkins
Boutwell	Fant	High	Phillips
Byars	Farmer	Hollis	Pinson

Smith	Thagard	Whatley	Wright	
Sollie	Todd			—21
<i>Nays:</i>				—0

The Bill:

H. 277. To amend Sections 253, 254, 255, 257 and 258, Title 62 of the Code of Alabama of 1940 to increase and extend the powers and duties of the barbers' commission and the Barber Inspector and to further regulate and license barbers and barber colleges, and other like businesses, to prescribe penalties and punishment and to increase the license fees therefor in counties of the State of Alabama having a population of 300,000 or over, according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	McCary	Sollie	
Andrews	Farmer	Norrell	Thagard	
Boutwell	High	Phillips	Todd	
Byars	Hollis	Pinson	Whatley	
Clayton	Jones	Smith	Wright	
Eddins	Larkins			—21

*Nays:* —0

The Bill:

S. 421. Proposing an amendment to the Constitution relative to Cullman County, and ordering an election thereon.

Was read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Farmer	Larkins	Richardson	
Andrews	Faulkner	McCary	Sollie	
Boutwell	Foster	Norrell	Thagard	
Byars	Golson	Phillips	Todd	
Clayton	High	Pinson	Whatley	
Eddins	Hollis	Reneau	Wright	
Fant	Jones			—25

*Nays:* —0

The Bill:

H. 393. To Amend Section 86, Title 11 of the Code of Alabama, 1940.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Hollis	Sollie	
Andrews	Farmer	Jones	Thagard	
Boutwell	Faulkner	Larkins	Todd	
Byars	Foster	Richardson	Whatley	
Clayton	Golson	Smith	Wright	
Eddins	High			—21

*Nays:*

—0

The Bill:

S. 517. Relating to Jefferson County: To amend Section 6, of Act No. 536, S. 365, approved October 2, 1947, 1947 Local Acts, page 359, which relates to the collection of delinquent court costs and fees in Jefferson County.

Was read a third time at length and passed and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

<b>Messrs.:</b>	Hollis	Pinson	Sollie
<b>Andrews</b>	Jones	Reneau	Thagard
<b>Boutwell</b>	Larkins	Robison	Todd
<b>Fant</b>	McCary	Skidmore	Whately
<b>Farmer</b>	Norrell	Smith	Wright
<b>High</b>	Phillips		

—21

*Nays:*

—0

## RESOLUTION

Mr. Clayton offered the following Senate Joint Resolution, to-wit:

S. J. R. 50. Resolved by the Senate, the House of Representatives Concurring, that when the two Houses adjourn today they adjourn to meet again Tuesday, July 31.

On motion of Mr. Clayton the Rules were suspended and the Resolution adopted.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Fite (Marion):

H. 834. Relating to Marion County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

With notice and proof thereto attached and herewith exhibited as follows:

## NOTICE

To Whom It May Concern:

Notice is hereby given of the intention to apply to the present regular session of the Legislature for the passage of a local act for Marion County, Alabama, the substance of which is as follows, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Marion County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only in Marion County.

Section 2. Any municipal corporation in Marion County shall have the right to establish, purchase, construct, maintain and operate a telephone system and to furnish telephone service to their residents and residents of surrounding territory.

Section 3. Any municipal corporation is authorized to construct, lease, purchase or otherwise acquire telephone lines for the furnishing of telephone service from any point in this State or any other State to said municipal corporation and surrounding territory.

Section 4. For the purposes of this Act any municipal corporation may exercise the right of eminent domain. Such eminent domain proceedings shall be conducted in the manner now provided by law.

Section 5. (a) In payment for purchase, construction, acquisition, extension or maintenance of such telephone system any municipal corporation may issue its bonds in the manner provided by law.

(b) Any municipal corporation, in order to secure the prompt and faithful payment of the principal and interest of all debts, bonds or other evidences of indebtedness incurred or issued by it for the construction, acquisition, extension or maintenance of a telephone system may execute a mortgage or deed of trust upon any or all of such system and all property used in connection therewith, including the franchise or any part thereof.

(c) Such mortgage or deed of trust may contain such terms, conditions, covenants and warranties for the protection of the municipal corporation and holders of such bonds or securities issued by such municipal corporation as may be determined and agreed upon by the governing body of the municipal corporation and persons, firms, or corporations owning such debts, bonds or securities.

(d) Such mortgages may provide that in the event of the foreclosure of such mortgage or deed of trust, that the purchaser at such foreclosure sale may acquire the right, privilege and franchise of operating such system as may be so sold or conveyed, and such purchaser or his vendee may have the right, authority and privilege to carry on and operate such system in the same manner, on the same terms and to the same extent as the municipal corporation is authorized to operate until the municipal corporation may redeem such system from such mortgage sale.

(e) Such mortgage or deed of trust may provide that during the ownership of the system by the municipal corporation, its control of the

service of the system shall not be diminished or interfered with by the grant of any other franchise for the operation of any other plant or system for similar purposes; and that such rates and charges shall be established and maintained as are sufficient to meet the costs of operation and maintenance; and such municipal corporation may pledge all of the receipts, earnings and revenues from the operation of the system for the payment of the debts, bonds or other evidences of indebtedness secured by such mortgage or deeds of trust.

Section 6. Any municipal corporation furnishing telephone service pursuant to this Act shall have the right to require any person furnishing telephone service to the public in this State to interconnect the telephone lines, facilities or systems furnishing such service with, or otherwise make available such lines, facilities or systems to the municipal corporation's telephone lines, facilities or systems in order to provide a continuous line of communication for the municipal corporation's subscribers. In the event such person and the municipal corporation shall be unable to agree upon the terms and conditions of such interconnection, including compensation thereof, the Alabama Public Service Commission, upon the request of the municipal corporation, shall establish such terms and conditions which shall be reasonable and non-discriminatory.

Section 7. Each municipal corporation shall have all the power and authority necessary and proper to the exercise of the powers conferred on it by this Act and in effectuating the purposes of this Act.

Section 8. Any municipal corporation transacting business pursuant to this Act shall be exempt in all respects from the jurisdiction and control of the Alabama Public Service Commission.

Section 9. All laws or parts of laws in conflict with this Act are repealed.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-14-21-28-7-5

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County, in said State, this day personally appeared F. B. McKenzie, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the foregoing attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama, said notice appearing in the issues of said paper on the 14th day of June, the 21st day of June, the 28th day of June, and the 5th day of July, all in the year 1951.

F. B. McKENZIE.

Sworn to and subscribed before me on this, the 19th day of July, 1951.

IDELLA MOORE,  
Notary Public, Marion County, Alabama.

Also:

By Mr. Fite (Marion):

H. 835. To alter and re-arrange the boundaries of the Town of Guin, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR PASSAGE  
OF LOCAL LAW

To Whom It May Concern:

In pursuance of the requirements of Section 106 of the Constitution of Alabama of 1901, notice is hereby given that application will be made to the Legislature of Alabama during the next Special Session or Regular Session thereof for the enactment of a local law in substance as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To alter and re-arrange the boundaries of the Town of Guin, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Guin, Alabama, in the County of Marion, be and the same hereby are altered and re-arranged so as to include within the corporate limits of said Town of Guin all the following described territory and none other, to-wit:

All of Section 33; the E $\frac{1}{2}$  of Section 32; the E $\frac{1}{2}$  of the W $\frac{1}{2}$  of Section 32; the SE $\frac{1}{4}$  of Section 29; the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 29; the S $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 29; the S $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 28; the NW $\frac{1}{2}$  of SW $\frac{1}{2}$  of Section 28; the SW $\frac{1}{4}$  of Section 34; all in Township 12 South, Range 13 West. The NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 5; the N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 5; the N $\frac{1}{2}$  of N $\frac{1}{2}$  of Section 4; the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 4; and the N $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 3; all in Township 13 South, Range 13 West. All of said lands being in Township 12 South, Range 13 West and in Township 13 South, Range 13 West in Marion County, Alabama.

Section 2. All laws and parts of laws, either general, special, or local, in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This Act shall become effective upon the first day of the month following its passage and approval by the Governor.

10-12-19-26-11-2

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MARION

Before me, the undersigned authority in and for said County, in said State, this day personally appeared F. B. McKenzie, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the foregoing attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama, said notice appearing in the issues of said paper on the 12th day of October, the 19th day of October, the 26th day of October, and the 2nd day of November, all in the year 1950.

F. B. McKENZIE.

Sworn to and subscribed before me on this, the 19th day of July, 1951.

IDELLA MOORE,  
Notary Public, Marion County, Alabama.

Also:

By Mr. Fite (Marion):

H. 836. Relating to Marion County: To prohibit any justice of the peace or notary with powers of a justice of the peace from assuming or exercising jurisdiction in any criminal prosecution for an act committed outside the boundaries of the beat or precinct for which such justice or notary was elected or appointed, and making a violation of this Act a misdemeanor.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### STATE OF ALABAMA COUNTY OF MARION

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Marion County: To prohibit any justice of the peace or a Notary with powers of a Justice of the Peace from assuming or exercising jurisdiction in any criminal prosecution for an act committed outside the boundaries of the beat or precinct for which such justice or notary was elected or appointed, and making a violation of this Act a misdemeanor.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Marion County.

Section 2. It shall be unlawful for any justice of the peace or any notary public with powers of a justice of the peace to assume or exercise any jurisdiction whatsoever in any criminal prosecution for the commission of an act or offense which occurred outside the boundaries of the beat or precinct for which he was appointed or elected. Any person who violates this Act shall be guilty of a misdemeanor and, upon conviction, shall be punished as prescribed by law.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

6-21-28-7-5-12

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared F. B. McKenzie, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said no-



tice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1951.

F. B. MCKENZIE.

Sworn to and subscribed before me July 19, 1951.

IDELLA MOORE,  
Notary Public, Marion County, Alabama.

Also:

By Mr. Dodd:

H. 847. Relating to Winston County; creating and establishing the Commissioners' Court of Winston County in lieu of the Highway Board created by Act No. 333, H. 815, approved September 5, 1939 and the Court of County Commissioners heretofore provided for by law, and abolishing the Highway Board and the Court of County Commissioners, transferring the functions, jurisdiction, powers, and authority of the abolished bodies to the Court herein established.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

STATE OF ALABAMA  
COUNTY OF WINSTON

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Winston County; creating and establishing the Commissioners' Court of Winston County in lieu of the Highway Board created by Act No. 333, H. 815, approved September 5, 1939 and the Court of County Commissioners heretofore provided for by law, and abolishing the Highway Board and the Court of County Commissioners; transferring the functions, jurisdiction, powers, and authority of the abolished bodies to the Court herein established.

Be It Enacted by the Legislature of Alabama:

Section 1. The Commissioners' Court of Winston County (hereinafter referred to as the court) is hereby created and established as the governing body of Winston County. It shall be in lieu of the Highway Board created by Act No. 333, H. 815, approved September 5, 1939 and the Court of County Commissioners heretofore provided for by law, which bodies are hereby abolished.

Section 2. The Court shall be composed of four members and a chairman. Members of the Court shall be elected at the general election in 1954, and every four years thereafter, to hold office from the first Monday after the second Tuesday in January next after their election, and until their successors are elected and qualified. The chairman of the Court shall be appointed by the Governor for a term to run concurrently with his own term. On or before the first day of January 1945, and every four years thereafter, the Governor shall divide Winston County into four districts, which districts shall be as nearly equal in road mileage as may be, and a member of the Court shall be elected for each district by the qualified electors thereof; provided, that no precinct shall be divided between districts and no district shall be made up of precincts which are not contiguous to each other.

Section 3. The functions, jurisdiction, powers, and authority heretofore vested by law in the Highway Board and the Court of County Commissioners are hereby transferred to, vested in, and conferred upon the Court created by this Act.

Section 4. The members of the Court and the chairman thereof shall have and perform the same duties, exercise the same authority, and be entitled to the same compensation as the chairman and members of the Highway Board which is abolished by this Act.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. The provisions of Section 2 shall become effective immediately upon the passage of this Act; the remainder of the Act shall become effective on the first Monday after the second Tuesday in January 1955.

CCN-6 26-7 3-10-17

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Managing Editor of the Haleyville Advertiser, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1951.

W. D. SMITH, JR.

Sworn to and subscribed before me July 23, 1951.

GRADY N. MARTIN,  
Notary Public.

Also:

By Messrs. Hall, Dawkins, Tennille, and Sellers:

H. 857. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the latest federal decennial census, or which shall hereafter have such population according to any such census that may hereafter be taken, to make appropriations and expand out of their revenues an amount not in excess of two hundred dollars (\$200) per year to aid in the care of, or care for, infirmed sick persons within the corporate limits and police jurisdiction of such cities who are unable to provide and care for themselves.

Also:

By Messrs. Hall, Dawkins, Tennille, and Sellers:

H. 858. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomi-

nation or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Also:

By Messrs. Hall, Dawkins, Tennille, and Sellers:

H. 859. Relating to all cities in the State of Alabama having a population of not less than 78,000 people nor more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Also:

By Messrs. Hall, Dawkins, Tennille, and Sellers:

H. 860. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 78,00 and not more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or

other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Also:

By Messrs. Hall, Dawkins, Tennile and Sellers:

H. 861. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of any employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

Also:

By Messrs. Wilkins, Gallalee and Pfleger:

H. 862. To Amend Section 78 of Title 62 of the Code of Alabama of 1940 relating to the holding of inquests by the Coroner of Mobile County, Alabama, and the summoning of a physician or surgeon by the Coroner to perform an autopsy.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that a Local Bill will be offered for introduction and passage at the present 1951 Session of the Legislature of Alabama, providing in substance as follows, viz:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 78 of Title 62 of the Code of Alabama of 1940 relating to the holding of inquests by the Coroner of Mobile County, Alabama, and the summoning of a physician or surgeon by the Coroner to perform an autopsy.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 78 of Title 62 of the Code of Alabama of 1940 be amended so that same shall read as follows:

"Section 78. Inquests. In case of death due to violence it shall be the duty of the coroner, when he deems it necessary, to hold an inquest and inquire into the causes of death, and in holding such inquest he may impanel a jury consisting of six householders to decide and to determine the cause of death according to the facts and evidence testified to at said inquest. It shall be unlawful to remove or disturb the body of anyone whose death is due to violence without an inquest by the coroner if he deems an inquest necessary. The coroner shall have the right and the power to perform any and all autopsies upon the bodies of persons who have died by violence or other causes in order to ascertain or verify the cause of death, but in no event shall the fee or compensation provided for by Section 88 of Title 15 of the Code of Alabama of 1940, be due or payable from the County treasury to any surgeon or physician who may be summoned by the coroner of Mobile County, or his assistant, to make such post mortem examination if, at such time, the coroner of Mobile County is a person learned in medicine or surgery unless the summoning of such surgeon or physician be first approved by the presiding circuit judge of the County and the reasons for such approval endorsed on such summons by such circuit judge."

Section 2. That all laws, general, special or local, in conflict herewith, be and the same hereby are repealed or declared inoperative as to Mobile County in this state.

Section 3. That this act shall be effective and in force on and after its passage, and approval by the Governor, or its otherwise becoming a law.

Press, June 7, 14, 21, 28

W. M. Curran, being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Press, June 7, 14, 21, 28th, 1951.

W. M. CURRAN.

Sworn to and subscribed before me this 16th day of July, 1951.

ALVIN A. JOHNSON,  
Notary Public

Also:

By Messrs. Huey, Meeks, Dumas, Adams (Jefferson), Beatty, and Morgan (Jefferson):

H. 816. To authorize the Tax Collector of Counties having a population of 400,000 or more, according to the last or any subsequent Federal Census, to send notices of the amount of tax due through the United States Mail, and to authorize the payment of the cost of postage thereof by the County Commission.

Also:

By Messrs. Dumas, Morgan (Jefferson), Beatty, Kaul, Huey, Adams (Jefferson) and Meeks:

H. 866. For the relief of Mrs. Bessie Huey out of the general fund of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

For the relief of Mrs. Bessie Huey out of the general fund of Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the County Commission of Jefferson County is hereby authorized to pay to Mrs. Bessie Huey, the widow of former County Highway Department employee Jessie Lee Huey, the sum of \$3000.00 Dollars, for the death of her husband, Jessie Lee Huey, who was killed while acting in the line of duty when the truck which he was operating was hit by the Louisville & Nashville R. R. Company freight train at a crossing about one (1) mile south of Oxmoor, Alabama, on January 30, 1950. The said sum of money is to be paid to the said Mrs. Bessie Huey out of such monies as may be constitutionally available, and it shall be the duty of the County Treasurer to pay said sum out of the general fund of said County.

Section 2. This act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law.

Messenger—May 19, 26; June 2, 9, 1951.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 19-26-June 2-9, 1951, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 11th day of June, 1951.

MALCOLM L. WHEELER,  
Notary Public.

Also:

By Messrs. Dumas, Meeks, Morgan (Jefferson), Beatty, Kaul, Huey, Adams (Jefferson):

H. 867. For the relief of H. D. VanNornum and Selina VanNornum, in the sum of One thousand Six Hundred Twenty-Five (\$1,625.00) Dollars, in that on, to-wit, December 15, 1949, a duly authorized agent, servant, or employee of Jefferson County, Alabama, Charles A. Johnson, negligently drove a truck into an automobile in which H. D. VanNornum and Selina VanNornum were riding, painfully injuring them and causing extensive property damage, in Jefferson County, Alabama, near Homewood.

With notice and proof thereto attached and herewith exhibited as follows:

      A BILL  
TO BE ENTITLED  
      AN ACT

For the relief of H. D. VanNornum and Selina VanNornum, in the sum of One Thousand Six Hundred Twenty-Five (\$1,625.00) Dollars, in that on, to-wit: December 15, 1949, a duly authorized agent, servant, or employee of Jefferson County, Alabama, Charles A. Johnson, negligently drove a truck into an automobile in which H. D. VanNornum and Selina VanNornum were riding, painfully injuring them and causing extensive property damage, in Jefferson County, Alabama, near Homewood.

Be It Enacted by the Legislature of Alabama:

Section 1. That the County Commission of Jefferson County, Alabama, is hereby authorized to draw, or cause to be drawn, a warrant on the Treasurer of Jefferson County, Alabama, payable to H. D. VanNornum and Selina VanNornum, in the sum of One Thousand Six Hundred Twenty-Five and No/100 (\$1,625.00) Dollars, to compensate them for personal injuries and property damage sustained as a direct and proximate consequence of the negligence of an agent, servant, or employee of Jefferson County, Alabama, who was Charles A. Johnson, while acting within the line and scope of his employment as such in negligently driving a truck which was owned or operated by Jefferson County, Alabama, into, upon, or against the automobile in which H. D. VanNornum and Selina VanNornum were riding, or the trailer which it was pulling, painfully injuring them and causing property damage, said sum of One Thousand Six Hundred Twenty-Five (\$1,625.00) Dollars being for the purpose of compensating them for said injuries, medical expenses and property damage, and the Treasurer of Jefferson County, Alabama, is hereby authorized to pay such warrant to the said H. D. VanNornum and Selina VanNornum out of such funds not otherwise appropriated.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.  
Messenger—May 19, 26; June 2, 9, 1951.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me, first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in

Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 19-26-June 2-9, 1951, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 11th day of June, 1951.

JOS. C. BARNARD,  
Notary Public.

Also:

By Messrs. Dumas, Morgan (Jefferson), Beatty, Kaul, Huey, Adams (Jefferson) and Meeks:

H. 868. To further define the powers and duties of the County Commission or other governing body of Jefferson County, Alabama, by whatever name said governing body may now or hereafter be called.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To further define the powers and duties of the County Commission or other governing body of Jefferson County, Alabama, by whatever name said governing body may now or hereafter be called.

Be It Enacted by the Legislature of Alabama:

Section 1. **FINANCIAL STATEMENT.** That as soon as practical after the first day of October of each year, the County Commission or other governing body of Jefferson County, Alabama, shall cause to be published in a daily newspaper of general circulation in said County a financial statement showing receipts and disbursements of all County departments, and shall also publish at the same time a list of the names of all persons drawing a salary from the County Treasury, together with the amount of salary paid to each.

Section 2. **SEVERABILITY.**—Should any part of this Act be declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 3. **REPEAL.**—All laws, or parts of laws, local, special or general, in conflict herewith are hereby repealed.

Section 4. **EFFECTIVE DATE.**—This Act shall take effect upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—May 19, 26; June 2, 9, 1951.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the



issues of May 19-26-June 2-9, 1951, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 11th day of June, 1951.

JOS. C. BARNARD,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 834, 835, 836, 847, 857, 858, 859, 860, 861, 862, 816, 866, 867 and 868—To the Committee on Local Legislation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. McCoy:

H. 827. Relating to Escambia County; providing that the governing body of the county shall fix, and provide for the payment of the compensation of the county jailers.

With notice and proof thereto attached and herewith exhibited as follows:

### A BILL TO BE ENTITLED AN ACT

Relating to Escambia County; providing that the governing body of the county shall fix, and provide for the payment of the compensation of the county jailers.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Escambia County is hereby authorized and directed to fix, and provide for the payment of the compensation of the county jailers employed or appointed by the sheriff, the salary of each jailer to be fixed at not less than one thousand two hundred nor more than three thousand dollars per annum and be payable in equal monthly installments out of any funds in the county treasury not otherwise appropriated.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

2-4tc

### PROOF OF PUBLICATION

STATE OF ALABAMA  
ESCAMBIA COUNTY

I, W. E. Brooks, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice

published in said Brewton Standard once a week for 4 consecutive weeks, namely in the issues of June 14, 1951, June 28, 1951, June 21, 1951, July 5, 1951.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

W. E. BROOKS,

By W. E. BROOKS, JR.

Subscribed and sworn to before me this 23 day of July, 1951.

CHARLES E. LAND,  
Notary Public, Escambia County, Ala.

Also:

By Mr. Coburn:

H. 831. Relating to Colbert County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### STATE OF ALABAMA COUNTY OF COLBERT

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Colbert County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only in Colbert County.

Section 2. Any municipal corporation in Colbert County shall have the right to establish, purchase, construct, maintain and operate a telephone system and to furnish telephone service to their residents and residents of surrounding territory.

Section 3. Any municipal corporation is authorized to construct, lease, purchase or otherwise acquire telephone lines for the furnishing of telephone service from any point in this State or any other State to said municipal corporation and surrounding territory.

Section 4. For the purposes of this Act any municipal corporation may exercise the right of eminent domain. Such eminent domain proceedings shall be conducted in the manner now provided by law.

Section 5. a) In payment for the purchase, construction, acquisition, extension or maintenance of such telephone system any municipal corporation may issue its bonds in the manner provided by law.

b) Any municipal corporation, in order to secure the prompt and faithful payment of the principal and interest of all debts, bonds or other evidences of indebtedness incurred or issued by it for the construction, acquisition, extension or maintenance of a telephone system may execute a mortgage or deed of trust upon any or all of such system and all property used in connection therewith, including the franchise or any part thereof.

c) Such mortgage or deed of trust may contain such terms, conditions, covenants and warranties for the protection of the municipal corporation and holders of such bonds or securities issued by such municipal corporation as may be determined and agreed upon by the governing body of the municipal corporation and persons, firms or corporations owning such debts, bonds or securities.

d) Such mortgages may provide that in the event of the foreclosure of such mortgage or deed of trust, that the purchaser at such foreclosure sale may acquire the right, privilege and franchise of operating such system as may be so sold or conveyed, and such purchaser or his vendee may have the right, authority and privilege to carry on and operate such system in the same manner, on the same terms and to the same extent as the municipal corporation is authorized to operate until the municipal corporation may redeem such system from such mortgage sale.

e) Such mortgage or deed of trust may provide that during the ownership of the system by the municipal corporation, its control of the service of the system shall not be diminished or interfered with by the grant of any other franchise for the operation of any other plant or system for similar purposes; and that such rates and charges shall be established and maintained as are sufficient to meet the costs of operation and maintenance; and such municipal corporation may pledge all of the receipts, earnings and revenues from the operation of the system for the payment of the debts, bonds or other evidences of indebtedness secured by such mortgages or deeds of trust.

Section 6. Any municipal corporation furnishing telephone service pursuant to this Act shall have the right to require any person furnishing telephone service to the public in this State to interconnect the telephone lines, facilities or systems furnishing such service with, or otherwise make available such lines, facilities or systems to the municipal corporation's telephone lines, facilities or systems in order to provide a continuous line of communication for the municipal corporation's subscribers. In the event such person and the municipal corporation shall be unable to agree upon the terms and conditions of such interconnection, including compensation therefor, the Alabama Public Service Commission, upon the request of the municipal corporation, shall establish such terms and conditions which shall be reasonable and nondiscriminatory.

Section 7. Each municipal corporation shall have all the power and authority necessary and proper to the exercise of the powers conferred on it by this Act and in effectuating the purposes of this Act.

Section 8. Any municipal corporation transacting business pursuant to this Act shall be exempt in all respects from the jurisdiction and control of the Alabama Public Service Commission.

Section 9. All laws or parts of laws in conflict with this Act are repealed.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 6-14-4tc

#### STATE OF ALABAMA COLBERT COUNTY

Before me, M. D. Duke, a notary public in and for said state and county personally appeared W. F. Miller, who first being duly sworn, deposes and says that he is publisher of Colbert County Reporter, a newspaper of general circulation in Colbert County, Alabama; that the above notice was published once a week for four consecutive weeks in Colbert County Reporter, on to-wit: June 28th, July 5th, July 12 and July 19, 1951.

Sworn to and subscribed before me this 23rd day of July, 1951.

Notary Public.

Also:

By Messrs. Mathews and McNider:

H. 838. To create and establish the County Court of Clarke County; to define its jurisdiction; to fix its terms; to provide for its officers; to define their powers, duties and authority; to fix their compensation; to provide for the rules of procedure and operation of said court; to provide for the transfer of all causes pending in the Inferior Court of Clarke County to the County Court of Clarke County; and to provide for the disposition of all unsatisfied judgments, executions, and forfeitures in the Inferior Court of Clarke County.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF CLARKE

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To create and establish the County Court of Clarke County; to define its jurisdiction; to fix its terms; to provide for its officers; to define their powers, duties and authority; to fix their compensation; to provide for the rules of procedure and operation of said court; to provide for the transfer of all cases pending in the Inferior Court of Clarke County to the County Court of Clarke County; and to provide for the disposition of all

unsatisfied judgments, executions, and forfeitures in the Inferior Court of Clarke County.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established the County Court of Clarke County, which court shall have and exercise the jurisdiction hereinafter provided.

Section 2. The County Court of Clarke County shall have original jurisdiction, concurrent with the Circuit Court of Clarke County, of all misdemeanors committed in Clarke County.

Section 3. That a term of the County Court of Clarke County, for the trial of misdemeanors, shall be held on the first Monday of every month, or on such other day of every month as the judge of said court may designate, at the courthouse thereof, and may continue until the business is disposed of. Said court shall be open, at the discretion of the judge thereof, any day during the week, except Sunday, for the trial of offenses coming within its jurisdiction, in all cases where the party or parties charged cannot give bond and security for their appearance at the regular terms of said court or desire an immediate trial; and, in such cases, causes may be continued for good cause shown under the regulations governing the continuance of causes in county courts; but nothing herein contained shall be so construed as to prevent or interfere with the regular terms of said court.

Section 4. The judge of probate of Clarke County shall be the judge of the County Court of Clarke County, and before he enters on the discharge of the duties of his office he shall take and subscribe the oaths prescribed by law for other judicial officers. The judge of the County Court of Clarke County shall receive an annual salary of six hundred dollars (\$600.00) payable in equal monthly installments out of the county treasury on his warrant; and such salary shall be the only compensation allowed to the judge of said court for services rendered in and about such court.

Section 5. The clerk of the Circuit Court of Clarke County shall be the ex-officio clerk of the County Court of Clarke County. The said clerk of the Circuit Court before entering upon the performance of the duties of clerk of the County Court must give bond as required by law. The fees and compensation of said clerk for his deputies as clerk of the County Court shall be the same as now allowed by law to the clerks of the Circuit Court in criminal cases, and shall be paid in like manner.

Section 6. The sheriff of Clarke County shall, in person or by deputy, attend upon the County Court of Clarke County, preserve order, execute all writs of process issued therefrom, and perform such other duties as he is required by law to perform in the Circuit Court of Clarke County. The sheriff of Clarke County shall receive the sum of two dollars (\$2.00) per day for attendance upon the County Court of Clarke County, payable out of the county treasury on the warrant of the judge of said court.

Section 7. The County Court of Clarke County shall be governed by the same rules of procedure as govern the county courts of this state; and all laws pertaining to the operation of the county courts of this state, not in conflict with the provisions of this Act, shall pertain to the operation of the County Court of Clarke County.

Section 8. That all causes now pending and undisposed of in the Inferior Court of Clarke County, together with all papers and documents relating to said causes, including affidavits and warrants of arrest, shall be immediately transferred to the County Court of Clarke County for its consideration and action.

Section 9. That all unsatisfied judgments, executions, and forfeitures in the Inferior Court of Clarke County shall be enforced and returns thereof made to the County Court of Clarke County in the same manner and with the same force and effect as if said judgments, executions, or forfeitures had been originally entered by or issued from the County Court of Clarke County.

Section 10. That immediately after the effective date of this Act the judge of said court shall certify to the County Court of Clarke County, all causes pending and undisposed of in said court and all unsatisfied judgments, executions, and forfeitures in said court, together with all papers and documents relating thereto, including affidavits and warrants of arrest.

Section 11. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 12. This Act shall become effective upon the passage of an Act of the 1951 Regular Session of the Legislature abolishing the Inferior Court of Clarke County.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF CLARKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared G. A. Carleton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1951.

G. A. CARLETON,

Sworn to and subscribed before me July 19, 1951.

HAZEL KEEN,  
Notary Public.

Also:

By Mr. Dodd:

H. 839. To propose and provide for the submission of an amendment to the constitution of Alabama, to empower and authorize The City of Haleyville, Alabama, a Municipal Corporation in Winston County to acquire and dispose of all kinds of property, to promote the development of The City of Haleyville, Alabama, a Municipal Corporation in Winston County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to The City of Haleyville, Alabama, a Municipal Corporation.

Also:

By Mr. Fite (Marion):

H. 832. Relating to Marion County: To amend Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939,

page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### STATE OF ALABAMA COUNTY OF MARION

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Marion County: To amend Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), as amended, is amended to read:

"The Sheriff of Marion County, Alabama, is hereby allowed an additional deputy sheriff, who shall receive a salary of not less than nine hundred (900) nor more than thirty-six hundred (3600) dollars per annum, to be paid in equal monthly installments out of the general fund of Marion County, the exact amount of the salary to be fixed by the Marion County Board of Revenue. The deputy sheriff shall be eligible to perform duties anywhere in the county, provided the Sheriff may from time to time assign him to perform such duties in certain precincts in Marion County as he may deem fit and proper."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-21-28-7-5-12

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared F. B. McKenzie, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1951.

F. B. McKENZIE.

Sworn to and subscribed before me July 19, 1951.

IDELLA MOORE,  
Notary Public, Marion County, Alabama.

Also:

By Mr. Fite (Marion):

H. 833. Relating to Marion County: To prohibit any mayor or recorder from assuming or exercising any jurisdiction whatsoever in any criminal prosecution for an act or offense committed outside the police jurisdiction of the municipality for which such mayor or recorder was elected or appointed, and providing that the municipality shall be liable for a penalty at the suit of any person so prosecuted.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

STATE OF ALABAMA  
COUNTY OF MARION

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Marion County: To prohibit any Mayor or recorder from assuming or exercising any jurisdiction whatsoever in any criminal prosecution for an act or offense committed outside the police jurisdiction of the municipality for which such Mayor or recorder was elected or appointed, and providing that the municipality shall be liable for a penalty at the suit of any person so prosecuted.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Marion County.

Section 2. It shall be unlawful for the mayor or recorder of any municipality in the county to assume or exercise any jurisdiction whatsoever, in any criminal prosecution for the commission of an act or offense which occurred outside the police jurisdiction of the municipality for which he was elected or appointed; and in the event the mayor or recorder assumes or exercises jurisdiction in such a case, the municipality shall forfeit to the person so prosecuted the sum of one hundred dollars and any fine and all costs paid, to be recovered by him in any court of competent jurisdiction.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-21-28-7-5-12

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said



State, this day personally appeared F. B. McKenzie, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1951.

F. B. McKENZIE.

Sworn to and subscribed before me July 19, 1951.

IDELLA MOORE,  
Notary Public Marion County, Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 827, 831, 838, 839, 832 and 833—To the Committee on Local Legislation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills:

By Messrs. Tumlin and Thomason:

H. 700. Relating to the City of Anniston: To establish a Policemen's and Firemen's Retirement Fund; providing for the resources, management and administration of the Fund, including the payment into the fund by electric, gas, telephone, telegraph and bus transportation public utilities of a license tax equal to one-half of one per cent of the gross revenue of such utilities derived from services rendered within the corporate limits and police jurisdiction of the city; and for the transfer of all monies or property of any similar fund to it; creating a Board of Trustees of the Policemen's and Firemen's Retirement Fund and providing for its organization, powers, duties and functions; providing for the retirement of and payment of benefits to members of the police and fire departments and their dependents and survivors; providing for the payment of disability benefits to disabled members of the police and fire departments; providing for appeals from final decisions of the Board of Trustees; and repealing Act No. 365, H. 601, approved July 6, 1945 (General Acts of Alabama, 1945, p. 581) and all other conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CALHOUN

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

### A BILL

Relating to the City of Anniston: To establish a Policemen's and Firemen's Retirement Fund; providing for the resources, management

and administration of the Fund, including the payment into the fund by electric, gas, telephone, telegraph and bus transportation public utilities of a license tax equal to one-half of one per cent of the gross revenue of such utilities derived from services rendered within the corporate limits and police jurisdiction of the city; and for the transfer of all monies or property of any similar fund to it; creating a Board of Trustees of the Policemen's and Firemen's Retirement Fund and providing for its organization, powers, duties and functions; providing for the retirement of and payment of benefits to members of the police and fire departments and their dependents and survivors; providing for the payment of disability benefits to disabled members of the police and fire departments; providing for appeals from final decisions of the Board of Trustees; and repealing Act No. 365, H. 601, approved July 6, 1945 (General Acts of Alabama, 1945, p. 581) and all other conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in the City of Anniston.

Section 2. There is hereby created in connection with the regularly organized and paid police and fire departments of the City of Anniston a "Board of Trustees of the Policemen's and Firemen's Retirement Fund." There is also created hereby a "Policemen's and Firemen's Retirement Fund," for the benefit of the persons hereinafter named, to be derived and maintained in the manner hereinafter provided.

Section 3. The Board shall be composed of three members; one member shall be elected by the governing body of the city and shall not be a member of either the fire department or the police department; one member shall be a member of the fire department elected by the members of the fire department; one member shall be a member of the police department elected by the members of the police department. Of the first three members of the Board, the member elected by the governing body of the city shall serve for a term of one year, the member elected by the members of the fire department shall serve for a term of two years, and the member elected by the members of the police department shall serve for a term of three years. Their successors shall be elected for terms of three years by the respective electing authorities. Vacancies on the Board shall be filled for the unexpired term by the authority that elected the member who vacated the position on the Board. The members of the Board shall elect one of their number chairman. The members of the Board shall serve without compensation.

Section 4. The city clerk shall serve as secretary-treasurer to the Board and shall receive as compensation for his services the sum of twenty-five dollars per month, to be paid on the first day of each month by a warrant drawn upon the Fund as other warrants on the Fund are drawn. The secretary-treasurer shall be the custodian of all monies belonging to the Fund. All monies due to the Fund shall be paid promptly to him. He shall also be custodian of all securities and other things of value belonging to the Fund. He shall before taking office make bond in an amount to be fixed from time to time by the Board and approved by the chairman of the Board with a surety company authorized to do business in Alabama, for the faithful performance of his official duties and for the faithful accounting for all monies, securities and other things of value which may come into his hands as custodian of the Fund. The premiums on his bond shall be paid out of the Fund. He shall keep the monies of the Fund in a separate account which shows at all times the true condition of the Fund. Upon his resignation or removal from office the secretary-treasurer shall surrender and deliver to his successor all bonds, securities and unexpended monies or other properties which have come into his hands as custodian of the Fund. The secretary-treasurer shall keep a full and complete record of all proceedings of the Board and perform such other duties as may be imposed upon him by the Board.

Section 5. The Board shall be the trustee of the Fund and have exclusive management and control thereof. It shall have the power to adopt and enforce necessary rules and regulations to carry out the purposes of this Act and to enable it properly to manage and administer the Fund. The Board shall hear and decide all applications for pensions under this Act and its decisions shall be final except as hereinafter provided. The Board shall meet upon the call of the chairman. It is provided, however, that the chairman shall call a meeting of the Board within ten days after the receipt of a claim or complaint hereunder.

Section 6. The Board, at any time after considering the probable demands upon the Fund in the near future, may determine what portion thereof may be withdrawn safely for investment for revenue purposes; and, having determined what portion thereof shall be withdrawn for that purpose, the Board then shall determine in what manner such investment shall be made, and all proceedings of the Board relating thereto shall be entered at length upon its records. Such investment shall be only by purchase of the interest bearing bonds of the United States of America, or the State of Alabama, or any bonds lawfully issued by the City of Anniston, or any bond, stock, security, investment or deposit which is guaranteed by the United States Government or any of its instrumentalities; however, not over twenty-five per cent of the Fund may be invested in the bonds of the city. All income from such investments shall become a part of the Fund. All such securities shall be deposited with the secretary-treasurer of the Board and shall be subject to the management and control of the Board.

Section 7. The Board shall make a quarterly report to the governing body of the city of the condition of the Fund and shall cause an annual report to be published during the first week of January of each year in a newspaper of general circulation published in the city.

Section 8. All monies ordered to be paid from the Fund shall be paid by the secretary-treasurer only upon warrants signed by the chairman of the Board and countersigned by one associate member of the Board and by the secretary-treasurer. No warrant shall be drawn on the Fund except by order of the Board, which shall be duly and regularly entered in the record of the proceedings of the Board.

Section 9. No portion of the Fund shall, before or after its order for distribution by the Board to the person or persons entitled thereto under the provisions of this Act, be held, seized, taken, subjected to, detained or levied upon by virtue of any attachment, garnishment, execution, injunction writ, order, decree, or any other process whatsoever issued out of or by any court of this State, for the payment or satisfaction, in whole or in part, of any debt, damage, demand, claim, judgment or decree against any beneficiary of the Fund, but shall be exempt therefrom so that the Fund shall be kept, held and distributed solely for the purposes of this Act.

Section 10. There shall be kept by the secretary-treasurer of the Board a book to be known as the List of Retired Policemen and Firemen. Such book shall give a full and complete history and record of the action of the Board in retiring any and all persons under this Act, showing the names, date of entering the service of such fire or police department, date of retirement and the reason for such retirement.

Section 11. It shall be the duty of the city attorney of the city to give advice to the Board in all matters pertaining to the duties of the Board and the management of the Fund whenever he is requested to do so; and he shall represent and defend the Board as its attorney in all suits and actions at law or in equity that may be brought against it and in all suits and actions in its behalf that may be required or determined upon by the Board.

Section 12. The Board shall be authorized to pay out of the Fund all reasonable and necessary expenses, including, but not limited to, the cost of advertising local bills amendatory of or supplementary to this Act and the costs of actuarial services hereunder, that may be incurred by it in the performance of its duties under this Act and in the management and administration of the Fund; however, in no event shall the members of the Board receive any salary or compensation for their services out of the Fund.

Section 13. Within ten days after any final decision of the Board any party, including the governing body of the city, aggrieved at the decision of the Board may appeal from such decision to the circuit court of Calhoun County; and such appeal shall be heard by a judge sitting without a jury. Upon the filing of any such appeal, notice thereof shall be served upon any member of the Board by the appellant. Such appeal shall be heard by the court at the earliest possible date, and it shall not be necessary on any such appeal to enter exceptions to the rulings of the Board; and no bond shall be required for such an appeal; and such an appeal shall be perfected by filing a notice and request therefor by the appellant with the clerk of the court. An appeal may be taken from any decision of such court to the Court of Appeals or the Supreme Court, in the manner provided by law for taking appeals in other cases.

Section 14. The Fund shall consist of the following: (a) all of the money, securities and things of value belonging to any similar fund now being maintained in the city; (b) all money or properties that may be given or donated by any person, firm, association or corporation for the uses and purposes for which the Fund is created, and the Board may take, by gift, grant, devise or bequest, any money, personal property or real estate, or any interest therein or any right of property for the benefit of the Fund; (c) five per cent of the monthly salaries of each member of the police and fire departments, which shall be paid by the city clerk of the city to the secretary-treasurer of the Board on the first day of each month, and such five per cent of such salaries shall be deducted from the salaries paid such members; (d) an amount equal to the amount paid into the Fund under subsection (c) of this Section shall be paid into the Fund monthly out of the city treasury; (e) all reward money paid to any member of the police or fire department shall be paid by the recipients of the same into the Fund promptly upon receipt; (f) all civil or criminal witness fees received by any member of the police or fire departments for attendance at or before any court or grand jury in Calhoun County shall be paid into the Fund promptly upon receipt thereof by their recipients; (g) each private public utility, qualified to do business under the laws of Alabama and selling electricity or electric current, natural gas, telephone service, telegraph service or bus transportation in Anniston shall annually, on or before the first day of March of each year pay as a license tax, in addition to all other license taxes now imposed, and such tax is hereby levied, into the fund a sum equal to one-half of one per cent of the gross revenue of such utility from the sale of electricity or electric current, natural gas, telephone service, telegraph service or bus transportation service within the corporate limits and police jurisdiction of the city during the preceding year; accompanying such tax payment by each private public utility there shall be filed with the secretary-treasurer a sworn statement by an officer or authorized agent of such utility showing the amount of the gross revenue received by such utility from the sale of electricity or electric current, natural gas, telephone service, telegraph service or bus transportation service in such territory during the preceding year. Any such utility which fails or refuses to comply with the provisions of this Section shall forfeit to the Fund the sum of \$1,000.00 to be recovered in a suit instituted in the name of the Fund by the city attorney.

Section 15. All funds and property belonging to or being a part of any existing similar fund in the city on the effective date of this Act

shall be held, administered, used and governed by and transferred and covered into the Policemen's and Firemen's Retirement Fund immediately upon the effective date of this Act. All persons retired or covered under the provisions of Act No. 365, H. 601, approved July 6, 1945 (General Acts of Alabama, 1945, page 581) and their dependents or survivors shall after the effective date of this Act receive the benefits provided under this Act as though they had been covered and made contributions hereunder during the time they were covered under said Act No. 365.

Section 16. Any member of the fire or police departments who has been in continuous service for as long as thirty years, upon making written application to the Board therefor, shall without medical examination or disability, be retired from service in such department. Upon such retirement, the Board shall direct the payment to such retired member, monthly, from the Fund, the amount hereinafter provided for his particular position, office, salary, or class of work.

Section 17. The Board shall retire from service in the police or fire department any member thereof upon his attaining the age of sixty years; provided, however, that any member of the fire or police department at the time of the effective date of this Act who was over the age of forty years at the time he became a member shall not be retired by the Board prior to the completion by him of twenty years of service. If the member retired from service as hereinabove provided has been in the service of the police or fire department for as long as twenty years he shall receive from the fund full retirement benefits.

Section 18. If any member of the police or fire department becomes physically or mentally permanently disabled for service as a result of injuries received in the line of duty so as to render his retirement from such service necessary, the Board shall retire such member from service and shall order the payment to him of full retirement benefits as provided in this Act for his particular position, office, salary or class of work. If any member becomes physically or mentally permanently disabled for service as a result of injuries received other than in the line of duty so as to render his retirement from such service necessary, the Board shall retire such member from service and shall order the payment to him of fifty per cent of full retirement benefits as provided in this Act for his particular position, office, salary or class of work.

Section 19. All retirement pay provided for in this Act shall be fixed as follows, unless otherwise provided for in this Act:

All firemen and patrolmen of a class up to and including those of the first class, shall upon retirement as provided herein, receive sixty-five (65) per cent per month of the monthly salary being paid to active firemen and patrolmen of the same class, not to exceed \$125.00 per month; all higher salaried members of the police and fire departments, upon retirement as provided herein, shall receive sixty-five per cent of the regular monthly salary being paid to active members of said department in the same class; however, no pensioner shall receive over \$25.00 per month more than members of the first class in their department. The monthly pay of all pensioners shall be based on the current salary of active members of their departments, subject to the limitations set out herein.

Section 20. After any member of such police or fire department shall have retired upon pension by reason of disability, the Board shall have the right, at any time, to cause such retired member to be brought before it and examined by the city physician or other competent physician or surgeon selected by it, and also to examine other witnesses for the purpose of discovering whether such disability yet continues and whether such retired member should be continued on the pension roll; but such retired member shall remain upon the pension roll until reinstated in the active service of such police or fire department. Such retired mem-

ber shall be entitled to notice and to be present at the hearing of any such evidence, shall be permitted to propound any questions pertinent or relevant to such matter, and also shall have the right to introduce upon his own behalf any competent evidence he may see fit. All witnesses so produced shall be examined under oath; and any member of the Board is authorized and empowered to administer oaths to witnesses.

Section 21. If any active or retired member of the police or fire department shall die from any cause whatever, leaving a widow, the Board shall direct the payment from the fund to the widow of the sum of \$500.00. Should such deceased member leave no widow, but a minor child or children, the Board shall direct the payment from the Fund to the legal guardian of such minor child or children of the sum of \$500.00 for the use and benefit of such minor child or children. Should the deceased member leave no widow or minor child or children, the Board shall direct the payment from the Fund to his personal representative or next of kin of the sum of \$500.

Section 22. a) If any member of the police or fire department is killed in the line of duty or dies as a direct result of injuries received in the line of duty and leaves surviving a widow, the Board shall direct the payment to the widow of a monthly pension equal to fifty per cent of the amount such deceased member would have been entitled to receive if he had been permanently disabled for service, so long as the widow does not remarry. If such deceased member leaves no widow surviving or if the widow remarries and if he leaves a surviving child or children under the age of eighteen years, the Board shall direct the payment to the legal guardian of such child or children who are under the age of eighteen years of a monthly pension equal to twenty-five per cent of the amount such deceased member would have been entitled to receive if he had been permanently disabled for service for the use and benefit of such children; provided, that no pension shall be paid for the use and benefit of any child after he attains the age of eighteen years, and provided further that the amount of benefits paid to surviving children shall not in any case exceed twenty-five per cent of the amount the deceased member would have been entitled to receive if he had been permanently disabled for service, regardless of the number of surviving children. Should such deceased member leave surviving no widow or minor child or children, but leave surviving a widowed mother who is dependent upon him for her chief support, the Board shall direct the payment to her of a monthly pension equal to thirty per cent of the amount such deceased member would have been entitled to receive if he had been permanently disabled for service, so long as she does not remarry.

b) If a retired member of the police or fire department dies and leaves surviving a widow, the Board shall direct the payment to the widow of a monthly pension equal to thirty-five per cent of the amount of the pension being paid to such member at the time of his death, so long as she does not remarry.

Section 23. When the widow or children or widowed mother of an active or retired member of the police or fire department shall be entitled to benefits under this Act, such widow, or children, or widowed mother, shall make or cause to be made an application to the Board through the secretary-treasurer, which shall show, in the case of the widow, proof of the marriage of the deceased to the claimant, by marriage certificate, or other competent evidence; or in the case of the mother, proof of the widowhood of the mother of such deceased member and proof of her dependency for support upon him, by affidavit of such widowed mother, or disinterested persons; and the ages of such children shall be shown by birth certificate or other competent evidence. All such applications and proofs shall be kept and retained in the custody of the Board.

Section 24. If at any time there shall not be sufficient money in the

fund to pay each person entitled to the benefits thereof the full amount per month as herein provided, then an equal percentage of such monthly payment or payments shall be made to each beneficiary until the Fund shall be sufficient to warrant payment in full to each of the beneficiaries.

Section 25. After the effective date of this Act, any fireman or policeman whose service is terminated for any reason after the completion of five years of service in such police or fire department shall be entitled to receive from the Fund the money paid therein by deduction from his salary, less the amount of any benefits previously paid to him out of the Fund.

Section 26. The provisions of this Act are severable. Should any part of it be declared unconstitutional or invalid, such declaration shall not affect that which remains, or should any part be declared unconstitutional or invalid in its applicability to, or operation upon, any territory, group, person or situation, such declaration shall not affect its applicability or operation otherwise.

Section 27. Act. No. 365, H. 601, approved July 6, 1945 (General Acts of Alabama, 1945, page 581) and all other laws or parts of laws in so far as they conflict with the provisions of this Act are hereby repealed.

Section 28. This Act shall become effective immediately upon the passage and approval by the Governor or its otherwise becoming a law.  
JUNE 12-19-26; JULY 3.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, 19, 26, and July 3, all in the year 1951.

RALPH W. CALLAHAN.

Sworn to and subscribed before me July 9, 1951.

CLARA B. WRIGHT,  
Notary Public.

Also:

By Messrs. Dumas, Beatty, Meeks, Morgan (Jefferson), Adams (Jefferson), and Huey:

H. 869. To amend Section 81 of Title 11, of the Code of Alabama of 1940.

Also:

By Messrs. Eslick and Reynolds (Madison):

H. 841. Relating to Madison County: To transfer all jurisdiction of juvenile cases from the Juvenile Court of Madison County to the Inferior Court of Huntsville.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA  
COUNTY OF MADISON**

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Madison County: To transfer all jurisdiction of juvenile cases from the Juvenile Court of Madison County to the Inferior Court of Huntsville.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby conferred on the Inferior Court of Huntsville all the jurisdiction, powers, authority and duties which are conferred on juvenile courts by Chapter 7 of Title 13 of the Code of Alabama (1940) or by any other laws of the State, and such jurisdiction, powers, authority and duties are hereby withdrawn from the Juvenile Court of Madison County.

Section 2. The Judge of the Juvenile Court of Madison County, shall, immediately after this Act becomes effective, make an order transferring to the Inferior Court of Huntsville all cases pending on the docket of the Juvenile Court of Madison County relating to juvenile matters or to juvenile jurisdiction. Thereafter, the jurisdiction of the Juvenile Court in these matters shall cease and the jurisdiction of the Inferior Court of Huntsville shall attach.

Section 3. All cases involving juvenile matters which are pending on appeal from the Juvenile Court of Madison County upon the effective date of this Act shall be returnable to the Inferior Court of Huntsville.

Section 4. All laws or parts of laws in conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. June 14, 21, 28, July 5

**STATE OF ALABAMA  
MADISON COUNTY**

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared Reese T. Amis, known to me, who being by me first duly sworn, deposes and says he is Vice President of The Huntsville Times Company, a Corporation which prints and publishes The Huntsville Times, that it is a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached Bill To Be Entitled An Act was published in the legal editions of the said newspaper on June 14, 21, 28, and July 5, 1951. (Juvenile Case).

**REESE T. AMIS,**  
Vice President.

Sworn to and subscribed before me this the 10th day of July, 1951.

**OPAL H. DILWORTH,**  
Notary Public.

My commission expires May 29, 1955.

Also:



By Messrs. Eslick and Reynolds (Madison):

H. 842. Relating to Madison County: To change the method of compensating the Probate Judge, providing him with assistants, office space and equipment.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA  
COUNTY OF MADISON**

Notice is hereby given at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Madison County: To change the method of compensating the Probate Judge, providing him with assistants, office space and equipment.

Be It Enacted by the Legislature of Alabama:

Section 1. The Probate Judge of Madison County shall receive as his entire compensation, in lieu of all other compensation provided by law, an annual salary of ten thousand (\$10,000) dollars. He shall have the right to employ a chief clerk at an annual salary of \$3,000,000 and this salary shall be subject to increase, with the approval of the governing body of Madison County. He shall select, hire and discharge all other employees of his office, at salaries subject to the approval of the governing body of Madison County. Such salaries for all employees, including the chief clerk shall not exceed \$12,500.00 per annum. The governing body of the county shall also pay the compensation of assistants and clerical help employed to prepare lists of qualified electors in the manner prescribed by Section 55, Title 17, Code 1940.

Section 2. All fees, commissions, percentages, allowances, charges and costs heretofore collectible as provided by the 1940 Code of Alabama or any laws amendatory thereof or supplemental thereto for the use of the Probate Judge of Madison County shall be collected by him and paid into the general fund of the County, and the compensation of the Probate Judge shall be paid out of the county treasury in the same manner that the salaries of other county employees or officers are paid.

Section 3. The governing body of Madison County shall provide the Probate Judge with the necessary quarters, books, stationery, office equipment, supplies, postage and other conveniences and equipment for the proper and efficient conduct of the affairs of his office.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon the ratification of an amendment to the Constitution of Alabama authorizing such an Act.

June 14, 21, 28. July 5

**STATE OF ALABAMA  
MADISON COUNTY**

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared Reese T. Amis, known to me, who being

by me first duly sworn, deposes and says he is Vice President of The Huntsville Times Company, a Corporation which prints and publishes The Huntsville Times, that it is a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached Bill To Be Entitled An Act (Probate Judge's Salary) was published in the legal editions of the said newspaper on June 14, 21, 28 and July 5, 1951.

REESE T. AMIS,  
Vice President.

Sworn to and subscribed before me this the 10th day of July, 1951.

OPAL H. DILWORTH,  
Notary Public.

My commission expires May 29, 1955.

Also:

By Messrs. Eslick and Reynolds (Madison):

H. 843. Relating to Madison County: To change the method of compensating the Sheriff of Madison County, placing him on a salary, and providing for his assistants, office space, and equipment.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Madison County: To change the method of compensating the Sheriff of Madison County, placing him on a salary, and providing for his assistants, office space, and equipment.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Madison County shall receive an annual salary of six thousand five hundred dollars (\$6,500) in lieu of all other compensation. He shall also receive an annual allowance of not more than twenty thousand (\$20,000) for paying subordinates, whose salaries shall be subject to the approval of the governing Body of Madison County and he shall select, hire and discharge not more than four deputies sheriff, including a chief deputy and such clerical assistants as may be necessary.

Section 2. All fees, commissions, allowances, percentages, charges and costs heretofore collectible as provided by the 1940 Code of Alabama or any laws amendatory thereof or supplemental thereto for the use of the Sheriff of Madison County, and the compensation of the Sheriff and his subordinates shall be paid out of the county treasury in the same manner that the salaries of other county employees or officers are paid.

Section 3. The governing body of Madison County shall furnish the Sheriff not more than three automobiles to be used by him and his deputies solely for official business and shall pay for the operation, maintenance, and repair of such automobiles. The governing body of Madison County shall also provide the Sheriff with the necessary quarters, books, stationery, office equipment, supplies, postage and other conveniences and equipment for the proper and efficient conduct of the affairs of his office.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon the ratification of an amendment of the Constitution of Alabama authorizing such an Act.

June 14, 21, 28. July 5

**STATE OF ALABAMA  
MADISON COUNTY**

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared Reese T. Amis, known to me, who being by me first duly sworn, deposes and says he is Vice President of The Huntsville Times Company, a Corporation which prints and publishes The Huntsville Times, that it is a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached Bill To Be Entitled An Act (Sheriff's Salary) was published in the legal editions of the said newspaper on June 14, 21, 28, and July 5, 1951.

**REESE T. AMIS,**  
Vice President.

Sworn to and subscribed before me this the 10th day of July, 1951.

**OPAL H. DILWORTH,**  
Notary Public.

My commission expires May 29, 1955.

And ordered same sent forthwith to the Senate without engrossment.

**R. T. GOODWYN, JR.,**  
Clerk.

**HOUSE MESSAGE**

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 700, 869, 841, 842 and 843—To the Committee on Local Legislation.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Morgan (Tuscaloosa) and Shelton:

H. 815. Relating to Tuscaloosa County: To repeal Act No. 424, H. 831, approved September 25, 1947, which levies an additional special privilege or license taxes and excise taxes for hospital purposes (Local Acts, 1947, pp. 281-286), making the Act effective July 31, 1952.

With notice and proof thereto attached and herewith exhibited as follows:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Tuscaloosa County: To repeal Act No. 424, H. 831, approved September 25, 1947, which levies an additional special privilege or license taxes and excise taxes for hospital purposes (Local Acts, 1947, pp. 281-286), making the Act effective July 31, 1952.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 424, H. 831, approved September 25, 1947, which levies additional special privilege or license taxes and excise taxes in

Tuscaloosa County for hospital purposes (Local Acts, 1947, pp. 281-286) is hereby expressly repealed.

Section 2. This Act shall become effective on July 31, 1952.  
June 12-19-26-July 3, 1951.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me July 17, 1951.

LEO J. JONES,  
Notary Public, State at Large, Alabama.

Also:

By Mr. Edgar:

H. 819. Relating to Choctaw County; providing for the election of the members of the County Board of Education.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that the following local bill will be introduced in the Legislature during the regular session of 1951.

#### A BILL TO BE ENTITLED AN ACT

Relating to Choctaw County; providing for the election of the members of the County Board of Education.

Be It Enacted by the Legislature of Alabama:

Section 1. One member of the Board of Education of Choctaw County shall be elected for each of the four commissioner's districts into which the county is now divided, and the fifth member of the board shall be elected for the county at large. Each board member shall be a qualified elector of, and reside in the district for which he is elected, but all the members shall be nominated and elected by the electors of the county at large; the fifth member of the board must be a qualified elector of, and reside in Choctaw County. Members of the board for districts one and two shall be elected at the general election in 1952, and every six years thereafter. Members of the board from district three and four shall be elected at the general election in 1956 and every six years thereafter. The fifth member of the board shall be elected at the general election in 1954, and every six years thereafter. The incumbent members of the board shall hold their offices until their successors are elected as provided in this Act.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-7 5t

STATE OF ALABAMA  
CHOCTAW COUNTY

I, Matt L. Blount, Publisher of the Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Notice, A Bill To Be Entitled An Act as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue date 6-14-51 19...., and ending with the issue dated 7-5-51, 19 . I further certify that I have the right and authority to make this affidavit.

MATT L. BLOUNT.

Sworn to and subscribed before me this, the 12 day of July, 1951.

JANICE W. BLOUNT,  
N. P.

Also:

By Mr. Summerlin:

H. 413. To amend Section 380 of Title 13 of the Code of Alabama (1940), which relates to the appointment of clerks in juvenile courts.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 815, 819 and 413—To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Butler:

H. 780. To validate any organization which may have been heretofore formed, or attempted to be formed, by the governing bodies of any two or more municipalities of this state, creating a Natural Gas District for the purpose of transmitting and supplying natural gas to the inhabitants of such municipalities, and other persons; to confirm the powers of such organization; to validate, ratify and confirm all proceedings heretofore had by the governing bodies of such municipalities regarding such organization; to validate, ratify and confirm all proceedings heretofore had by the Board of Directors of such District; to authorize subsequent proceedings by such Board; to prescribe the powers, authority, rights and duties of such organization; and to provide that such organization shall be a valid political subdivision of the State of Alabama.

Also:

By Messrs. Fite (Walker) and Black:

H. 796. To amend Section 151 of Title 52 of the 1940 Code of Alabama.

Also:

By Messrs. Pfleger, Miller, Gallalee, Merrill and Malone (Limestone):

H. 416. To amend Section 831 of Title 51 of the Code of Alabama (1940), as amended, which relates to the procurement and form of licenses to engage in any business or do any act for which a license is required by law.

Also:

By Mr. Engelhardt:

H. 722. Relating to elections; prohibiting single-shot voting in municipal elections; providing that when two or more candidates are to be elected to the same office, the voter must express his choice for as many candidates as there are places to be filled.

Also:

By Messrs. Denton and Adams (Jefferson):

H. 388. To amend Section 9 of Title 14 of the Code of Alabama (1940), which relates to the punishment for inducing an abortion.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 780—To the Committee on Municipalities and Municipal Organizations.

H. B. 796—To the Committee on Education.

H. B. 416—To the Committee on Finance and Taxation.

H. B. 722—To the Committee on Privileges and Elections.

H. B. 388—To the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hall and Adams (Dale):

H. 569. To exempt from taxation the recordation of all mortgages, deeds of trust, and other instruments of like character executed to secure loans made by any corporation or association authorized by Subchapter IV of Chapter 7, Title 12, United States Code Annotated, to make loans to its members for general agricultural purposes.

Also:

By Messrs. Morgan (Tuscaloosa), Crook, Wilson and Bamberg:

H. 582. Relating to the collection, payment and dishonor of demand items by banks and the revocation of credit for, and payment of, such items.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 569—To the Committee on Finance and Taxation.

H. B. 582—To the Committee on Banking.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. White (Covington):

H. 642. To make an additional appropriation to the State Board of Education in the sum of three thousand (\$3,000.00) dollars to be expended for regional education and to be paid out of any funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund.

Also:

By Messrs. Dawkins, Meeks, Morgan (Jefferson) and Harrison (Shelby):

H. 864. To appropriate the sum of fifty thousand dollars (\$50,000) to the State Health Department for subsidy to the counties for the treatment of tuberculosis.

Also:

By Messrs. Dawkins, Sellers, Hall and Tennille:

H. 694. To authorize a payment by the ABC Board from funds available to said Board for the relief of Charlie Hamilton of Montgomery, Alabama.

Also:

By Messrs. Thomas and Robinson:

H. 585. To amend Section 14 of Title 22 of the Code of Alabama 1940, relating to public health.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 642, 864 and 694—To the Committee on Finance and Taxation.

H. B. 585—To the Committee on Public Health.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

By Mr. Johnston (Mobile):

S. 434. To confer jurisdiction upon the Inferior Civil Court of Mobile, Alabama, concurrent with all Justice of the Peace Courts in Mobile County, Alabama, in matters pertaining to forcible entry and detainer, and unlawful detainer, where the real property lies anywhere within the limits of Mobile County, Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 328. To amend Section 443 of Title 52 of the Code of Alabama (1940), which relates to the corporate powers of the Alabama School of Trades.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 79. Relative to memorializing the Hon. Charles Brannan, Secretary of Agriculture, to hold public hearing concerning cotton support prices.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 741. Relating to counties having populations of not less than 96,000 nor more than 140,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Clayton:

S. J. R. 50. Relating to the two Houses adjourning today and meeting again on Tuesday, July 31.



And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 10, with a suggested executive amendment.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

July 27, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 10, with a suggested executive amendment, as follows:

Amend Senate Bill No. 10 by striking therefrom the third sentence of Section 2 of said bill and substituting in lieu thereof, the following:

"The Tax Assessor shall have the right and authority to prescribe the proper bookkeeping method to carry out the provisions of this Act, subject to the approval of the Chief Examiner of Public Accounts."

The suggested amendment is made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objections to the bill.

Respectfully,  
GORDON PERSONS,  
Governor.

### GOVERNOR'S MESSAGE

On motion of Mr. McCary, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, which said amendment is set out in the foregoing Message from the Governor, to the Bill

S. B. 10. To provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not more than 400,000 inhabitants according to the last or any succeeding Federal Census; to provide for the claiming of statutory exemptions on such property; and to provide penalties for failure to comply with the provision of this Act.

Yeas 28; Nays 0.

Yeas:

Messrs.:  
Andrews  
Bonner  
Boutwell

Byars  
Clayton  
Eddins  
Fant

Farmer  
Foster  
Golson  
High

Hollis  
Johnson (Chambers)  
Johnston (Mobile)  
Jones

Larkins	Phillips	Richardson	Sollie	
Locke (Choctaw)	Pinson	Robison	Thagard	
Locke (Perry)	Reneau	Skidmore	Wright	
McCary				—28

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Richardson	
Andrews	Foster	Locke (Choctaw)	Robison	
Boutwell	Golson	Locke (Perry)	Skidmore	
Byars	High	McCary	Smith	
Clayton	Hollis	Phillips	Sollie	
Eddins	Johnson (Shambers)	Pinson	Thagard	
Fant	Johnston (Mobile)	Reneau	Wright	
				—27

Nays: —0

Which was a majority of the whole number elected to the Senate.

#### RESOLUTION

Mr. Robison offered the following Senate Joint Resolution, to-wit:

S. J. R. 51. Be it resolved by the Senate, the House concurring, that S. B. 411 which has passed both Houses be known as the Robison, Dawkins, Hall, Sellers and Tennile Bill.

And the Rules were suspended and the Resolution adopted by the Senate.

#### REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the twenty-fourth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

#### COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the twenty-fourth legislative day approved by the Senate.

#### ADJOURNMENT

At 12:10 P. M. on motion of Mr. Andrews, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, July 31, 1951, at 10 o'clock A. M.

## TWENTY-FIFTH LEGISLATIVE DAY

TUESDAY, JULY 31, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

## PRAYER

The Session was opened with prayer by Rev. W. A. Hogan, Pastor, Goode St. Baptist Church.

## ROLL CALL

Present:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Chehaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	

—34

## JOURNAL

On motion of Mr. Hollis, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## LEAVE OF ABSENCE

On motion of Mr. Farmer, leave of absence was granted Mr. Wright for today.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 328. To amend Section 443 of Title 52 of the Code of Alabama (1940), which relates to the corporate powers of the Alabama School of Trades.

Also:

S. 434. To confer jurisdiction upon the Inferior Civil Court of Mobile, Alabama, concurrent with all Justice of the Peace Courts in Mobile County, Alabama, in matters pertaining to forcible entry and detainer, and unlawful detainer, where the real property lies anywhere within the limits of Mobile County, Alabama.

HERBERT B. BYARS,  
Chairman.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Richardson:

S. B. 551. Authorizing and directing the governing body of Lawrence County to make an appropriation for the relief of W. K. Cartee.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LAWRENCE

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Authorizing and directing the governing body of Lawrence County to make an appropriation for the relief of W. K. Sartee.

Whereas, W. K. Cartee of Lawrence County suffered property damage on June 27, 1951, as a result of the negligent operation of a truck by an employee of Lawrence County who was then and there acting within the line and scope of his employment by the County; now, therefore,

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Lawrence County is hereby authorized and directed to pay out of any funds in the county treasury not otherwise appropriated to W. R. Cartee forthwith upon the passage and approval of this Act, the sum of Two Hundred Ten and 87/100—(\$210.-87) Dollars to compensate him for the property damage suffered by him as a result of the negligent operation of a truck by a county employee on June 27, 1951, said sum to be in full satisfaction of any claim which the said W. K. Cartee has or had on account of said damages.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

J. B. RICHARDSON,  
Senator.

LEO ROBERSON,  
Representative.

27-4

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having

appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the years 1951.

ARTHUR F. SLATON.

Sworn to and subscribed before me 7-30, 1951.

J. L. WEATHERWAX,  
Notary Public.

By Mr. Richardson:

S. B. 552. To amend Act No. 84 of Local Acts of 1947 page 60, entitled "An Act to allow the Sheriff of Lawrence County, Alabama, an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments" to provide that the additional deputy sheriff provided for by said Act shall receive a salary of not less than \$1800.00 nor more than \$2400.00 per annum, to be paid in twelve equal monthly installments out of the General Funds of Lawrence County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LAWRENCE

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Act No. 84 of Local Acts of 1947 page 60, entitled "An Act to allow the Sheriff of Lawrence County Alabama, an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments" to provide that the additional deputy sheriff provided for by said Act shall receive a salary of not less than \$1800.00 nor more than \$2400.00 per annum, to be paid in twelve equal monthly installments out of the General Funds of Lawrence County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section One of Act No. 84 of Local Acts of Alabama of 1947, page 60, entitled "An Act to allow the Sheriff of Lawrence County, Alabama, an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments" is amended to read as follows: "That the Sheriff of Lawrence County, Alabama, is hereby allowed an additional deputy to the deputy or deputies now provided by law, which said deputy shall receive a salary of not less than \$1800.00 per annum, nor more than \$2400.00 per annum, to be fixed by the Board of Revenue of Lawrence County Alabama, and payable in twelve equal monthly installments out of the General Funds of said County; that said deputy sheriff shall be appointed by the Sheriff of Lawrence County, Alabama, and shall be eligible to perform the duties of deputy Sheriff anywhere in said County."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first day of the month following its lawful enactment.

J. B. RICHARDSON,  
Senator.

LEO ROBERSON,  
Representative.  
27-4

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the years 1951.

ARTHUR F. SLATON.

Sworn to and subscribed before me 7-30, 1951.

J. L. WEATHERWAX,  
Notary Public.

By Mr. Locke (Choctaw):

S. B. 553. To authorize the governing body of Washington County, Alabama to provide from the county general fund for payment of, and to fix the salary of an additional deputy sheriff, to be appointed by the sheriff, for Washington County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that the following Bill will be introduced at the present session of the Legislature which convened in May, 1951.

#### A BILL TO BE ENTITLED AN ACT

To authorize the governing body of Washington County, Alabama to provide from the county general fund for payment of, and to fix the salary of an additional deputy sheriff, to be appointed by the sheriff, for Washington County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Washington County, Alabama is hereby authorized to provide from the county general fund for payment of and to fix, the salary of an additional deputy sheriff, for Washington County, Alabama, to be appointed by the sheriff. The salary of such deputy may not exceed two thousand four hundred dollars (\$2,400.00) per annum.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

5-24-4 tchg

**STATE OF ALABAMA  
WASHINGTON COUNTY**

I, Clyde M. Yelverton, Manager of the Washington County News, a newspaper published at Chatom, Washington County, Alabama, do hereby certify that a copy of the Legal Notice, as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement, thereof, for 4 consecutive weeks, commencing with the issue dated May 24, 1951, and ending with the issue dated June 14, 1951. I further certify that I have the right and authority to make this affidavit.

CLYDE M. YELVERTON.

Sworn to and subscribed before me on this, the 16 day of June, 1951.

JOHN STROUD,  
Notary Public.

By Mr. McCary:

S. B. 554. Relating to the circuit solicitor of judicial circuits having two judges and being composed of only two counties, one of which has a population of not less than seventy-three thousand one hundred nor more than ninety-three thousand five hundred; providing him with a chief clerk; prescribing the duties, powers, functions, compensation and method of selection of such clerk; and providing for a travel allowance for such solicitor.

Committee on Local Legislation.

By Messrs. Benson, Faulkner, High:

S. B. 555. To authorize the State Board of Agriculture and Industries to expend any funds in the State Markets Fund of the Agricultural Fund, not exceeding \$75,000.00 for the purpose of equipping, enlarging and expanding buildings or other facilities constructed by the State Markets Board and providing that no amounts shall be expended hereunder until all amounts required to be repaid to the General Fund of the State Treasury pursuant to Act No. 687 of the Legislature of 1947, shall have been repaid.

Committee on Finance and Taxation.

By Mr. Foster:

S. B. 556. Relating to counties having a population of not less than sixty-four thousand nor more than seventy-nine thousand inhabitants; to fix the compensation of the coroner.

Committee on Local Legislation.

By Mr. Jones:

S. B. 557. For the relief of John A. Dickinson for service rendered as a member of the Alabama National Guard during the Spanish American War in 1898, and appropriate the sum of \$5000.00 (five thousand dollars) for such service.

Committee on Finance and Taxation.

**REPORTS OF COMMITTEES**

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Todd (with notice and proof):

S. 545. Relating to the City of Russellville, Franklin County; abolishing the City Board of Education and establishing in lieu thereof the Education Commission of the City of Russellville; providing for its organization, procedures, powers and duties, and for the selection, qualifications and compensation of its members.

By Messrs. Morgan (Tuscaloosa) and Shelton (with notice and proof):

H. 815. Relating to Tuscaloosa County: To repeal Act No. 424, H. 831, approved September 25, 1947, which levies an additional special privilege or license taxes and excise taxes for hospital purposes (Local Acts, 1947, pp. 281-286), making the Act effective July 31, 1952.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 658. To alter or to rearrange the boundary lines of the Town of Chatom, Washington County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in Washington County, Alabama.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING

The Bill:

S. 248. To amend Section 1 of Title 32 of the Code of Alabama of 1940 relating to the number of representatives in the House of Representatives.

Was then read a third time at length, which resulted in a tie vote.

Yeas 14; Nays 14.

Yeas:

Messrs.:	Faulkner	Johnson (Chambers)	Reneau	
<b>Benson</b>	Foster	Jones	Richardson	
<b>Boutwell</b>	High	McCary	Smith	
<b>Fant</b>	Hollis	Norrell		—14

Nays:

Messrs.:	Eddins	Locke (Perry)	Sollie	
<b>Andrews</b>	Farmer	Phillips	Thagard	
<b>Bonner</b>	Johnston (Mobile)	Quarles	Todd	
<b>Byars</b>	Larkins	Robison		—14

The President and Presiding Officer of the Senate voted "Aye", thereupon said Bill was passed, and ordered sent forthwith to the House without engrossment.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution.

By Mr. Robison:

S. J. R. 51. Relating to the naming of S. B. 411.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.



## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Harrison (Shelby):

H. J. R. 83. Be it resolved by the House the Senate concurring that House Bills No. 381-382-599 and 600 be known as Pruitt-Pinson bills.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Johnston (Mobile) the Rules were suspended and the Resolution, H. J. R. 83, set out in the foregoing Message from the House, was adopted by the Senate.

## RESOLUTION

Mr. Skidmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 52. Be it resolved by the Senate, the House concurring, That a committee of two Senators, to be named by the President of the Senate, and three Representatives, to be named by the Speaker of the House, be appointed to wait upon the Honorable Walter M. Haynes, Lieutenant Governor of Tennessee, and escort him to the House Chamber at 11 o'clock today.

On motion of Mr. Skidmore the Rules were suspended and the Resolution adopted by the Senate.

The President and Presiding Officer of the Senate appointed as committee on part of the Senate Messrs. Skidmore and Benson.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 68. To authorize and provide for the payment of the sum of \$2,-850.00 out of any funds in the State Treasury to the credit of the Highway Patrol Fund for the relief of Maurice S. Chambers, to reimburse him for hospital, doctor and medical bills, and for compensation for injuries received by him by reason of an accident occurring on the 14 day of August, 1948, while the said Maurice S. Chambers was employed by the State of Alabama as a member of the State Highway Patrol, and while he was acting in the line and scope of his employment as a patrolman.

Also:

H. 277. To amend Sections 253, 254, 255, 257 and 258, Title 62 of the Code of Alabama of 1940 to increase and extend the powers and duties of the barbers' commission and the Barber Inspector and to further regulate and license barbers and barber colleges, and other like businesses, to prescribe penalties and punishment and to increase the license fees therefor in counties of the State of Alabama having a population of 300,000 or over, according to the last or any subsequent federal census.

Also:

H. 300. To provide for the payment into the general fund of Madison

County of all witness fees in the Inferior Court of Huntsville which are unclaimed for a period of ninety days.

Also:

H. 393. To Amend Section 86, Title 11 of the Code of Alabama, 1940:

Also:

H. 440. To allow the sheriff of Cullman County, Alabama an additional deputy sheriff to that now provided by law; to fix a salary of said deputy and to make the same payable out of the general funds of Cullman County in monthly installments.

Also:

H. 587. To allow the Sheriff of Coosa County, Alabama, an additional deputy; to fix the salary of said deputy, and to make the same payable out of the general funds of Coosa County, Alabama, in monthly installments, and to provide when this Act shall take effect.

Also:

H. 594. For the relief of John H. Tyson of Auburn, Lee County, who was injured while acting within the line and scope of his employment by Alabama Polytechnic Institute; authorizing a payment to John H. Tyson from any funds appropriated to the use of Alabama Polytechnic Institute.

Also:

H. 634. Relating to Winston County; imposing extra, new, and additional duties upon the members of the Court of County Commissioners and providing additional compensation to such members for their performance thereof.

Also:

H. 645. To repeal Act No. 310, General Laws of Alabama, approved July 28, 1949, and to provide for the liquidation and distribution of each retirement fund therein provided for, and for the distribution of the moneys now held in each of the funds provided by said Act.

Also:

H. 671. To fix the compensation of the Tax Assessor of Cullman County for assessing and of the Tax Collector of Cullman County for collecting municipal ad valorem taxes in those municipalities in Cullman County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

Also:

H. 672. Relating to Cullman County to authorize the Board of Registrars of Cullman County to meet and be in session for sixty days for purging the registration list, and to provide compensation therefor to provide for clerk and other incidental expenses.

Also:

H. 677. To fix the compensation of the Tax Assessor of Conecuh County for assessing and of the Tax Collector of Conecuh County for collecting municipal ad valorem taxes in those municipalities in Conecuh County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

Also:

H. 691. To alter or rearrange the boundary lines of the Town of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said Town all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

Also:

H. 702. Relating to Dale County, authorizing and directing the governing body of Dale County to pay the salaries of clerical assistance for the Clerk of the Circuit Court; repealing conflicting laws, including Act No. 332, H. 721, approved August 15, 1947 (Local Acts, 1947, p. 238).

Also:

H. 704. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Pickens County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Pickens County and the location of new industries or businesses therein to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendments to such municipalities.

Also:

H. 711. Abolishing the fine and forfeiture fund of Winston County; providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

Also:

H. 712. Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act.

Also:

H. 714. To place additional duties and responsibilities upon the members of the Board of Revenue of Walker County, Alabama, and to provide additional compensation therefor.

Also:

H. 723. To provide for a discount or deduction equal to two per centum (2%) of the amount of the tax levied by Act No. 54 adopted at the 1951 Regular Session of the Legislature of Alabama entitled "An Act to impose in Montgomery County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, distributing, storing, or withdrawing from storage, for any use, of motor fuels as defined in the act, including (a) gasoline, diesel fuel oil, motor distillate, tractor fuel, and other liquid motor fuels or any devices or substitutes therefor commonly used in internal combustion engines, and (b) naphthas, kerosene oil, fuel oil, crude oil, and liquefied petroleum gases when distributed, sold, stored or withdrawn from storage for use in internal combustion engines; to provide that the said tax shall be collected and paid over to said county by dis-

tributors, retail dealers or storers, as defined in the act, of such motor fuels; to provide that the said tax shall be a levy upon the consumer, with the distributor, retail dealer and storer acting merely as agent of the county for its collection, provided, that when the storer of motor fuel is also the consumer thereof the tax shall be a levy upon said storer and consumer; to make it unlawful for any distributor, retail dealer, or storer to fail to add the tax to the sales price of any such motor fuels and collect from any purchaser thereof the amount due on account of said tax; to provide that the said tax shall be in addition to all other taxes including (without limitation) any privilege or license taxes levied by Sections 176 to 180, inclusive, as amended, and Sections 182 to 186, inclusive, of Title 51 of the Code of Alabama of 1940; to provide for certain exemptions from the tax; to require every distributor, retail dealer, or storer of such motor fuels to make monthly reports as to sales, distributions and withdrawals from storage of such motor fuels and to pay over monthly an amount of money equal to the tax; to require such distributors, storers and retail dealers to keep for not less than two years records of sales and distributions or withdrawals from storage of such motor fuels; to require such distributors, storers and retail dealers to report their addresses, and any changes therein, to the governing body of said county; to provide for reports by transportation companies of all shipments into Montgomery County of such motor fuels; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the governing body of said county to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage, or withdrawal from storage of motor fuels as defined herein; to provide for use of the proceeds from said tax, after deduction of the cost of collection, for certain public school purposes, including (without limitation) construction and equipment of school houses and payment of the principal of and interest on obligations issued for such construction and equipment, or either of them; to provide, in the event of any valid pledge, pursuant to general law, of any part of said tax proceeds, that the proceeds so pledged shall first be applied in satisfaction of such pledge, and, in the event of more than one such pledge, in satisfaction thereof in the order made; to provide for termination on the effective date of this act of the levy of the excise tax authorized under Act No. 271 adopted at the 1943 Regular Session of the Legislature; and to provide for the effective date of this act," and approved May 30, 1951, and to authorize each person, corporation, or other entity required by law to collect and pay over said tax to the governing body of Montgomery County to deduct an amount equal to said discount or deduction from the amount of said tax; provided, that such discount or deduction may be so deducted only with respect to payments of the tax that are made when due and with respect to which the required statement was filed when due.

Also:

H. 729. Authorizing and directing the Governing Body of Talladega County, Alabama, to make an appropriation out of the general fund of Talladega County, Alabama, for the relief of Willie Fair and Leathia Fair to reimburse them for funeral expenses and damages suffered as a result of the death of Jim Fair, their father and husband, respectively, which death occurred during the line and scope of Jim Fair's employment by Talladega County, on to-wit, the 7th day of August, 1950.

Also:

H. 730. To alter and rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

H. 750. TO AMEND Sections 8 and 11 of Act No. 445, Local Acts, 1947, page 303, establishing a Court of Common Pleas for Autauga Coun-

ty, Alabama, and to further provide for its officers, their powers and duties and compensations.

Also:

H. 741. Relating to counties having populations of not less than 96,000 nor more than 140,000 inhabitants: To provide for the payment of benefits to employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such county who are killed in the performance of their official duties.

Also:

H. 752. Relating to Escambia County; authorizing the governing body of the County to pay the compensation of an additional deputy sheriff, to be appointed by the Sheriff of Escambia County and to be stationed by him at Atmore.

Also:

H. 757. To authorize the Court of County Commissioners of Bibb County, Alabama, to provide an additional deputy sheriff for Bibb County, Alabama, in addition to the deputies now provided by law, to be appointed by and to serve at the pleasure of the sheriff; to provide for the annual salary of such deputy to be determined by said Court of County Commissioners which said annual salary shall not be less than One Thousand and eight hundred dollars (\$1800) nor more than Two Thousand Four Hundred dollars (\$2400), per year, payable in equal monthly installments from the general fund of said county; and to provide that the said Court of county commissioners shall have power and authority to revoke the provisions and allowances for said deputy sheriff at any time.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 10. To provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not more than 400,000 inhabitants according to the last or any succeeding Federal Census; to provide for the claiming of statutory exemptions on such property; and to provide penalties for failure to comply with the provision of this Act. by a vote of a majority of the whole number elected to the House, said vote being: Yeas 61; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 61; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 658. To alter or to rearrange the boundary lines of the Town of Chatom, Washington County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in Washington County, Alabama.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 360. To provide that counties disburse gasoline tax moneys received from the state on a county-wide basis under the direction of county governing bodies and the supervision of a county engineer for the establishment, construction, repair and maintenance of county roads and bridges; powers and duties of county engineers.

and pending substitute, which substitute is set out at length in the Journal of the Senate for the twenty-second Legislative Day, was taken up.

Mr. Johnston (Mobile) offered the following amendment to the substitute for the Bill, to-wit:

Amend substitute for S. B. 360 by adding:

"Section 5. This act shall not authorize the governing body of any county to employ any persons except under the provisions of a merit system where any such county has such a system."

Which was adopted.

On motion of Mr. Quarles, further consideration of the Bill, S. B. 360, and pending substitute, as amended, was postponed until the next legislative day.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Russell:

H. J. R. 84. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 3, 1951.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Clayton, the Rules were suspended and the Resolution, H. J. R. 84, set out in the foregoing Message from the House, was adopted.

## RESOLUTION

The Rules Committee offered the following Resolution, to-wit:

S. R. 53. Resolved by the Senate that upon reconvening of the Senate after the noon recess today the following bills on third reading shall be paramount and continuing order of business:

H. 773 on page 49 of calendar

H. 772 on page 49 of calendar

Which was adopted.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Skidmore:

S. J. R. 52. Relative to a Committee of two Senators and three Representatives being appointed to wait upon the Honorable Walter M. Haynes, Lieutenant Governor of Tennessee, and escorting him to the House Chamber at 11 o'clock today.

And the Speaker of the House named as a Committee on the part of the House Messrs. Adams (Jefferson), Baker and Molette.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## JOINT SESSION

In accordance with Joint Resolution heretofore adopted, the hour of 11 o'clock A. M. having arrived, the Senate retired to the Hall of the House of Representatives for the purpose of hearing the address of Honorable Walter M. Haynes, Lieutenant-Governor of Tennessee.

Thereupon, Lieutenant-Governor Haynes was escorted to the Chair, and delivered his address to the Legislature of Alabama.

The purpose of the Joint Session having been accomplished, the Senate returned to its Chamber and was called to order by Lieutenant-Governor Allen.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 429. Authorizing and directing the governing body of Lawrence County to make an appropriation for the relief of H. P. Warren.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Tumlin and Thomason:

H. 660. Relating to Calhoun County: To prescribe the compensation of the Circuit Clerk of Calhoun County, placing him on a salary, providing for clerical assistance, office space and equipment for him, and repealing Act No. 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 107).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CALHOUN

NOTICE is hereby given that at the regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Calhoun County: To prescribe the compensation of the Circuit Clerk of Calhoun County, placing him on salary, providing for clerical assistance, office space and equipment for him, and repealing Act No. 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 107).

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the consolidation of the offices of Circuit Clerk of Calhoun County and Register of the Chancery Court of Calhoun County as provided by Act No. 580, H. 1072, approved September 19, 1949 (Acts of Alabama, 1949, page 909), the salary of the Circuit Clerk of Calhoun County shall be six thousand dollars per annum, which shall be in lieu of all other compensation. He shall also receive an annual allowance of seven thousand five hundred dollars to be used exclusively for clerk hire.

Section 2. All fees, commissions, allowances, percentages and costs heretofore collected for the use of the Circuit Clerk and Register of the Chancery Court shall be collected and paid into the general fund of the county.

Section 3. The compensation of the Circuit Clerk and of his clerks and assistants shall be paid as the salaries of other county employees are paid.

Section 4. The governing body of Calhoun County shall provide the Circuit Clerk with the necessary quarters, books, stationery, office equipment, supplies, postage and other conveniences and equipment for the proper and efficient conduct of the affairs of his office.

Section 5. Act No. 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 103), as amended, is repealed.

Section 6. This Act shall become effective upon the consolidation of the offices of Circuit Clerk of Calhoun County and Register of the Chancery Court of Calhoun County.

5-11

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Austin Johnson, who, being by me



first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Piedmont Journal, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 11, May 18, May 25, and June 1, all in the year 1951.

AUSTIN JOHNSON,  
Publisher.

Sworn to and subscribed before me 6/19/51.

W. K. LITTLE,  
Notary Public.

Also:

By Messrs. Roberts and Russell:

H. 898. Relating to Morgan County; fixing the salary of the coroner of said county at sixty dollars per month, to be paid out of the general fund of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Morgan County; fixing the salary of the coroner of said county at sixty dollars per month, to be paid out of the general fund of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Coroner of Morgan County shall be entitled to a salary of sixty dollars per month, to be paid out of any funds in the county treasury not otherwise appropriated, upon warrant of the Chairman of the Board of Revenue and Control of Morgan County, said salary to be the entire compensation of the Coroner.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

NOBLE J. RUSSELL,  
LUTHER ROBERTS,  
Representatives, Morgan County, Alabama.

June 19—26—July 3—10

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1951.

B. C. SHELTON.

Sworn to and subscribed before me July 23, 1951.

R. H. JERVIS,  
Notary Public.

Also:

By Messrs. Russell and Roberts:

H. 899. To amend Sections 1 and 3 of an Act to fix the compensation or salary to be paid the Tax Collector of Morgan County, Alabama, being Act No. 464 of the regular session of the Legislature of Alabama of 1939, approved September 15, 1939, as amended by Act No. 71 of the Legislature of Alabama, approved May 28, 1943.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 1 and 3 of an Act to fix the compensation or salary to be paid the Tax Collector of Morgan County, Alabama, being Act No. 464 of the regular session of the Legislature of Alabama of 1939, approved September 15, 1939, as amended by Act No. 71 of the Legislature of Alabama, approved May 28, 1943.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of Act No. 464 of the Legislature of Alabama, approved September 15, 1939, being an act to fix the compensation or salary to be paid to the Tax Collector of Morgan County, Alabama, and for other purposes, be and the same is hereby amended so as to read as follows: "Section 1. The salary or compensation of the Tax Collector of Morgan County, Alabama shall be forty-eight hundred dollars (\$4800.00) Dollars per annum, and said annual salary shall be paid out of the county treasury of Morgan County, in equal monthly installments, at the end of each month."

Section 2. That Section 3 of said act as amended by Act No. 71 of the Legislature of Alabama, approved May 28, 1943, be and the same is hereby amended so as to read as follows: "Section 3. The Board of Revenue and Control, or like governing body of Morgan County, Alabama is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the said Tax Collector, but the said Tax Collector shall select such clerks, deputies and assistants and shall

fix their compensation, but the combined salaries or compensation of said clerks, deputies, and assistants selected by him shall not exceed four thousand four hundred dollars (\$4,400.00) Dollars per annum. The said Tax Collector shall have the right to discharge the said clerks, deputies and assistants at will as they shall serve only at his pleasure. The salaries or compensation of said clerks, deputies and assistants shall be paid in equal semi-monthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County, Alabama are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body, of Morgan County, shall pay for all necessary traveling expenses for annual trips over the County as required by law, but said Tax Collector shall furnish all necessary reports, registers, and lists of qualified voters as required by law, without additional charge or compensation therefor. The compensation of said clerks and assistants shall be paid in semi-monthly installments upon their filing with the Chairman of said Board of written claims therefor, the correctness of which shall be verified by the oath or affirmation of said Tax Collector and of the clerk or assistants making such claim. The Board of Revenue and Control of Morgan County, Alabama shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to said Tax Collector from time to time as conditions may warrant, not to exceed however the said sum of four thousand four hundred dollars (\$4,400.00) per annum."

Section 3. This Act shall become effective on October 1, 1951.

J. B. RICHARDSON,  
Senator 2nd District.

NOBLE J. RUSSELL  
LUTHER ROBERTS  
Representatives from Morgan County.

July 2—9—16—23

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 2, July 9, July 16, and July 23, all in the year 1951.

B. C. SHELTON.

Sworn to and subscribed before me July 23rd, 1951.

R. H. JERVIS,  
Notary Public.

Also:

By Messrs. Roberts and Russell:

H. 897. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, so as to include in the territory of said municipality, in addition to the territory now embraced therein, the following described lands, to-wit:

Beginning at a point on the west line of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 32, Township 5 South of Range 4 West 1096 feet north of the southwest corner of said SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , thence running north to the northwest corner of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , thence running east to the northeast corner

of the NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 33, Township 5 South of Range 4 West, thence running south to the southeast corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of said Section 33, thence running west to the southeast corner of the NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of said Section 33, thence north to the southeast corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 33, thence west to the southwest corner of the NW  $\frac{1}{4}$  of said Section 33, thence running north along the west line of the NW  $\frac{1}{4}$  of said Section 33 to the southeast corner of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 32, thence running west 190 feet, thence running north 67 feet, thence running west to the center line of the Somerville Road, thence running in a northerly direction along the center line of the Somerville Road to a point where said center line intersects a line running east from the point of beginning, thence running west to the point of beginning.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the present session of the Legislature of Alabama a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

To extend the boundary lines of the City of Decatur in Morgan County, Alabama, so as to include in the territory of said municipality, in addition to the territory now embraced therein, the following described lands, to-wit:

Beginning at a point on the west line of the SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 32, Township 5 South of Range 4 West 1096 feet north of the southwest corner of said SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , thence running north to the northwest corner of the SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , thence running east to the northeast corner of the NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 33, Township 5 South of Range 4 West, thence running south to the southeast corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of said Section 33, thence running west to the southeast corner of the NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of said Section 33, thence north to the southeast corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 33, thence west to the southwest corner of the NW  $\frac{1}{4}$  of said Section 33, thence running north along the west line of the NW  $\frac{1}{4}$  of said Section 33 to the southeast corner of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 32, thence running west 190 feet, thence running north 67 feet, thence running west to the center line of the Somerville Road, thence running in a northerly direction along the center line of the Somerville Road to a point where said center line intersects a line running east from the point of beginning, thence running west to the point of beginning.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Decatur, in Morgan County, Alabama, be and the same are hereby extended so as to include in the territory of said municipality the following described lands, in addition to the territory now embraced therein, to-wit:

Beginning at a point on the west line of the SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 32, Township 5 South of Range 4 West 1096 feet north of the southwest corner of said SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , thence running north to the northwest corner of the SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , thence running east to the northeast corner of the NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 33, Township 5 South of Range 4 West, thence running south to the southeast corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of said Section 33, thence running west to the southeast corner of the NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of said Section 33, thence north to the southeast corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 33, thence west to the southwest corner of the NW  $\frac{1}{4}$  of said Section 33,

thence running north along the west line of the NW¼ of said Section 33 to the southeast corner of the NE¼ of the SE¼ of the NE¼ of Section 32, then running west 190 feet, thence running north 67 feet, thence running west to the center line of the Somerville Road, thence running in a northerly direction along the center line of the Somerville Road to a point where said center line intersects a line running east from the point of beginning, thence running west to the point of beginning.

Section 2. This Act shall be effective immediately.

NOBLE J. RUSSELL,  
Representative, Morgan County, Alabama.

June 19-26—July 3-10.

STATE OF ALABAMA  
MORGAN COUNTY

Before me, the undersigned authority in and for said county in said state, this day personally appeared Ben Bloodworth, who, being by me first duly sworn, deposes and says that he is now and was during the times herein mentioned Editor of the Decatur Daily, which is now and was during the times herein mentioned a newspaper of general circulation published in Morgan County, Alabama; and that he has knowledge of the facts herein stated, and is duly authorized to make this affidavit; and that the foregoing notice was published in said Decatur Daily once a week for four consecutive weeks prior to this date, without cost to the State of Alabama, said notice having been published in the issues of said newspaper of date June 19, June 26, July 3, and July 10, all in the year 1951.

BEN BLOODWORTH.

Sworn to and subscribed before me this 19th day of July, 1951.

R. H. JERVIS,  
Notary Public.

My Commission Expires 11/9/53.

Also:

By Messrs. Russell and Roberts:

H. 900. To amend Section 1 and Section 3 of Act No. 361 of the Legislature of Alabama, which act became a law on September 14, 1939, and which act fixed the compensation or salary to be paid to the Tax Assessor of Morgan County, Alabama, as amended by Act No. 73 of the Legislature of Alabama, approved May 28, 1943.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 1 and Section 3 of Act No. 361 of the Legislature of Alabama, which act became a law on September 14, 1939, and which act fixed the compensation or salary to be paid to the Tax Assessor of Morgan County, Alabama, as amended by Act No. 73 of the Legislature of Alabama, approved May 28, 1943.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of Act No. 361 of the Legislature of Alabama of the regular session of 1939, which act became a law on September 14, 1939, and which act fixed the compensation or salary of the Tax Assessor of Morgan County, Alabama, be and the same is hereby amended so as to read as follows: "Section 1. The salary of the Tax Assessor of Morgan County, Alabama shall be forty-eight hundred dollars (\$4800.00) Dollars per year, and said annual salary shall be paid out of the County Treasury of Morgan County, in equal monthly installments, at the end of each month."

Section 2. That Section 3 of said act as amended by Act No. 73 of the Legislature of Alabama, approved May 28, 1943, be and the same is hereby amended so as to read as follows: "Section 3. The Board of Revenue and Control, or like governing body of Morgan County, Alabama is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the said Tax Assessor, but the said Tax Assessor shall select such clerks, deputies and assistants and shall fix their compensation, but the combined salaries or compensation of said clerks, deputies, and assistants selected by him shall not exceed forty-four hundred dollars (\$4400.00) Dollars per annum. The said Tax Assessor shall have the right to discharge the said clerks, deputies, and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of said clerks, deputies and assistants shall be paid in equal semi-monthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County, Alabama are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body of Morgan County shall pay for all necessary traveling expenses for annual trips over the county as required by law, but said Tax Assessor shall furnish all necessary drawings, maps, registers and plats as required by law, including land and lot books provided for by sections 66 and 67 of Title 51 of the Code of Alabama of 1940, and the book, commonly known as 'Tax Abstract,' provided for by section 65 of Title 51 of the Code of Alabama of 1940, without compensation, charges, or expense to Morgan County, for the same, or the preparation of the same. The compensation of said clerks and assistants shall be paid in semi-monthly installments upon their filing with the Chairman of said Board of written claims therefor, the correctness of which shall be verified by the oath or affirmation of said Tax Assessor and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County, Alabama shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to said Tax Assessor from time to time as conditions may warrant, not to exceed however the said sum of forty-four hundred dollars (\$44,000.00) per annum."

Section 3. This Act shall become effective on October 1, 1951.

J. B. RICHARDSON,  
Senator 2nd District.

NOBLE J. RUSSELL  
LUTHER ROBERTS

Representatives from Morgan County.

July 2—9—16—23

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he

was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 2, July 9, July 16, and July 23, all in the year 1951.

B. C. SHELTON.

Sworn to and subscribed before me July 23rd, 1951.

R. H. JERVIS,  
Notary Public.

Also:

By Messrs. Roberts and Russell:

H. 901. To fix the compensation of the Solicitor of the Morgan County Court in and for Morgan County, Alabama, and to provide the period during which this Act shall be effective.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To fix the compensation of the Solicitor of the Morgan County Court in and for Morgan County, Alabama, and to provide the period during which this Act shall be effective.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the Solicitor of the Morgan County Court of Morgan County, Alabama shall be the sum of twenty-four hundred dollars (\$2,400) per annum, payable in equal, monthly installments out of the county treasury at the end of each month.

Section 2. This Act shall become effective on October 1, 1951.

NOBLE J. RUSSELL,  
LUTHER ROBERTS  
Representatives, Morgan County, Alabama.

June 19—26—July 3—10

PROOF OF PUBLICATION

STATE OF ALABAMA

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1951.

B. C. SHELTON.

Sworn to and subscribed before me 23rd July, 1951.

R. H. JERVIS,  
Notary Public.

Also:

By Messrs. Russell and Roberts:

H. 902. To amend Sections 1 and 4 of an act approved May 28, 1943 providing for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the Legislature of 1943.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 1 and 4 of an act approved May 28, 1943 providing for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the Legislature of 1943.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of an act approved May 28, 1943 to provide for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the legislature of Alabama of 1943, be and the same is hereby amended so as to read as follows:

1. The Judge of Probate of Morgan County, Alabama shall receive an annual salary of six thousand five hundred dollars (\$6,500) Dollars. Said salary shall be in lieu of all other compensation, commissions, allowances, fees, costs, percentages and emoluments to said officer, except as herein otherwise provided.

Section 2. That Section 4 of said act be and the same is hereby amended so as to read as follows:

4. The Board of Revenue and Control of Morgan County, Alabama, or other like governing body of said county, shall provide said Judge of Probate with the necessary books, records, equipment, furniture, fixtures, stationery, postage, and other supplies, and with sufficient clerks and assistants, the said Judge of Probate to have the authority to select and employ and discharge at will his clerks and assistants, and to fix their compensation, but the total compensation of said clerks and assistants shall not exceed such sum as the Board of Revenue and Control of Morgan County, Alabama shall allow therefor, not to exceed the sum of twelve thousand two hundred dollars (\$12,200) Dollars per annum. Said Board of Revenue and Control shall have authority and it shall be its duty to make an allowance for such compensation and to raise and lower the same from time to time, subject to said maximum of twelve thousand two hundred dollars (\$12,200) Dollars, as conditions and circumstances may warrant.



Section 3. This Act shall become effective on October 1, 1951.

J. B. RICHARDSON,  
Senator 2nd District.

NOBLE J. RUSSELL  
LUTHER ROBERTS  
Representatives from Morgan County.

July 2—9—16—23

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 2, July 9, July 16, and July 23, all in the year 1951.

B. C. SHELTON.

Sworn to and subscribed before me July 23rd, 1951.

R. H. JERVIS,  
Notary Public.

Also:

By Mr. Coburn:

H. 905. To amend Section 2 of Act No. 485 adopted at the 1949 Regular Session of the Legislature of Alabama Approved August 30, 1949 (Acts of Alabama of 1949, Regular Session, Page 704), which levied a Sales and Use Tax in Colbert County, so as to change the rate of the Use Tax levied thereby.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### STATE OF ALABAMA COUNTY OF COLBERT

NOTICE is hereby given that at the current session of the Legislature of Alabama a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 485 adopted at the 1949 Regular Session of the Legislature of Alabama Approved August 30, 1949 (Acts of Alabama of 1949, Regular Session, Page 704), which levied a Sales and Use Tax in Colbert County, so as to change the rate of the Use Tax levied thereby.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. Section 2 of Act No. 485 adopted at the 1949 Regular Session of the Legislature of Alabama, approved August 30, 1949 (Acts of Alabama of 1949, page 704), be and the same is hereby amended to read as follows:

"Section 2. (a) In Colbert County, Alabama, an excise tax is hereby

imposed on the storage, use or other consumption in said county, of tangible personal property purchased at retail for storage, use or consumption in said county at the rate of one-half of one per cent of the sales price of such property, regardless of whether the retailer is or is not engaged in business in this state, except as provided in subsection (b) of this section. (b) In Colbert County, Alabama, an excise tax is hereby imposed on the storage, use or other consumption in said county of any automotive vehicle purchased at retail for storage, use or consumption in said county at the rate of one-eighth of one per cent of the sales price of such automotive vehicle. Every person storing, using or otherwise consuming in said county tangible personal property purchased at retail shall be liable for the tax imposed hereby, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in said county showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer. (c) The tax levied in Section Two hereof shall be subject to all the definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, and punishment and deductions set out in Section 787 through Section 811 and Article 2 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.  
6-28-4tc.

#### STATE OF ALABAMA COLBERT COUNTY

Before me, M. D. Duke, a notary public in and for said state and county personally appeared W. F. Miller, who being first duly sworn, deposes and says that he is publisher of Colbert County Reporter, a newspaper of general circulation in Colbert county, Alabama; that the above notice was published once a week for four consecutive weeks in the Colbert County Reporter, on to-wit June 28, July 5, July 12 and 19, 1951.

W. F. MILLER.

Sworn to and subscribed before me this 23rd day of July, 1951.

M. D. DUKE,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 660, 898, 899, 897, 900, 901, 902 and 905—To the Committee on Local Legislation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Hawkins (DeKalb):

H. 590. To impose additional duties upon the chairman and associate

members of the Board of Revenue of DeKalb County, Alabama, and providing additional compensation therefor.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

Notice is hereby given that application will be made to the regular session of the Legislature of Alabama, convened on to-wit: May 1, 1951, for the passage of a local law providing in substance as follows:

### A BILL TO BE ENTITLED AN ACT

To impose additional duties upon the chairman and associate members of the Board of Revenue of DeKalb County, Alabama, and providing additional compensation therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other duties imposed upon him by law, the Chairman of the Board of Revenue of DeKalb County, Alabama, shall make monthly reports of bridges built and repaired, and the cost of each to the Board of Revenue, and shall make monthly inspections at the various departments of the Government of DeKalb County, Alabama, and shall make quarterly reports to the Board of Revenue of his findings. These monthly reports shall be kept on file in the office of the Board of Revenue and shall be open to inspection by the public at all reasonable hours.

Section 2. That, in addition to all other duties now imposed by law, each associate member of the Board of Revenue of DeKalb County, Alabama, shall perform the following additional duties: (1) make periodic inspections of all State bridges and State highways in DeKalb County, Alabama, and report the condition of same quarterly to the Board of Revenue at its regular meeting, and that the report of each of the said members be consolidated and transmitted by the Chairman of the Board to the State Highway Department with the recommendation of the Board as to the condition of said State highways and the State bridges; (2) to make and keep records of gasoline consumption of the machinery equipment over which he has control and the cost of maintenance of such machinery and equipment on such forms as may be prescribed by the Board and such report shall be filed monthly with the Chairman of the Board and shall be open to inspection by the public at all reasonable hours. The reports and records required by this Act shall be in lieu of all other reports and records that may be required in any other manner, except inventory of supplies, materials, equipment and property under the control of each associate member of the Board of Revenue as now provided for.

Section 3. For the performance of the duties imposed by this act, the Chairman of the Board shall receive, in addition to all other compensation now received by him, an additional \$100.00 monthly and each associate member of the Board shall receive, in addition to all other compensation now provided by law, an additional \$100.00 monthly.

Section 4. The additional compensation provided for the members of the Board of Revenue by this Act shall be paid out of the County gasoline tax fund.

Section 5. The provisions of this Act are severable. If any part of this Act is declared to be unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its pas-

sage and approval by the Governor, or upon its otherwise becoming a law. (5-2-4t)

**STATE OF ALABAMA  
DEKALB COUNTY**

Before me, the undersigned authority in and for said county in said state, this day personally appeared E. O. Davidson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner and publisher of The Fort Payne Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1951.

E. O. DAVIDSON.

Sworn to and subscribed before me, May 23, 1951.

JOE E. THOMPSON,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

**HOUSE MESSAGE**

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 590—To the Committee on Local Legislation.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Miller and Hawkins (Etowah):

H. 797. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

**NOTICE**

Notice is hereby given of intention to introduce in the next regular session of the Alabama Legislature which was convened May 1, 1951, and press for passage a local bill in substance as follows:

**A BILL  
TO BE ENTITLED  
AN ACT**

To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Gadsden, Etowah

County, Alabama, be, and the same are altered or re-arranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama; all of which territory is more particularly described as being all of the territory lying within the County of Etowah, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

Begin at the Northeast corner of the Southeast Quarter ( $SE\frac{1}{4}$ ) in Section Seventeen (17), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian, Etowah County, Alabama, and from thence run in a southerly direction and along the East line of said Section Seventeen (17) and the East line of Section Twenty (20), Township Eleven (11) South of Range Six (6) East of Huntsville Meridian to the Southeast corner of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) in said Section Twenty (20); thence in an Easterly direction and along the North line of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ), Section Twenty-one (21) Township Eleven (11) South, Range Six (6) East of the Huntsville Meridian to the Northeast corner of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of said Section Twenty-one (21); thence along the East line of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of said Section Twenty-one (21), and along the East line of the West Half ( $W\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of said Section Twenty-one (21) and along the East line of the West Half ( $W\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ), Section Twenty-eight (28), Township Eleven (11) South, Range Six (6) East of the Huntsville Meridian to the Southeast corner of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of said Section Twenty-eight (28), thence in an easterly direction and along the North line of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of said Section Twenty-eight (28) to the Northeast corner of the Southwest Quarter ( $SW\frac{1}{4}$ ) of said Section Twenty-eight (28); thence in a Southerly direction and along the East line of the Southwest Quarter ( $SW\frac{1}{4}$ ) in Section Twenty-eight (28) and along the East line of the West Half ( $W\frac{1}{2}$ ) of Section Thirty-three (33), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian to the Northwest corner of the South Half ( $S\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) in said Section Thirty-three (33); thence in an Easterly direction and along the North line of the South Half ( $S\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) in said Section Thirty-three (33) and along the North line of the South Half ( $S\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) in Section Thirty-four (34), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian to the Northeast corner of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of said Section Thirty-four (34); thence Northerly along the West line of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Thirty-four (34) to the Northwest corner thereof; thence Easterly along the North line of the said Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Thirty-four (34) to the Northeast corner thereof; thence Northerly along the West line of the East Half ( $E\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of said Section Thirty-four (34) to the Northwest corner thereof; thence Easterly along the North line of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section Thirty-four (34) to the Northeast corner of said Section which is also the Southwest corner of Section Twenty-six (26), Township Eleven (11) South, of Range Six (6) East; thence Northerly along the West line of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section Twenty-six (26) to the Northwest corner thereof; thence Easterly along the North line of the said Southwest Quarter ( $SW\frac{1}{4}$ ) of Section Twenty-six (26) to the Northeast corner thereof; thence Northerly along the West line of the Northeast Quarter of said Section Twenty-six (26) to the Northwest corner thereof; thence Easterly along the North line of Sections Twenty-six (26) and Twenty-five (25) to the Northeast corner of the Northwest Quarter ( $NW\frac{1}{4}$ ) of said Sec-

tion Twenty-five (25); thence Southerly along the East line of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-five (25) to the Southeast corner thereof; thence Westerly along the South line of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-five (25) to the Southwest corner thereof; thence Southerly along the East line of the West Half (W $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Twenty-five (25), and the East line of the West Half (W $\frac{1}{2}$ ) of the West Half (W $\frac{1}{2}$ ) of Section Thirty-six (36) to the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section Thirty-six (36), Township Eleven (11) South, of Range Six (6) East; thence Westerly along the South line of Section Thirty-six (36) and Section Thirty-five (35), Township Eleven (11) South of Range Six (6) East to the Southwest corner of said Section Thirty-five (35), which is also the Northeast corner of Section Three (3); thence Southerly along the East line of Section Three (3), Township Twelve (12), South, of Range Six (6) East to a point where said line intersects the South bank of Coosa River; thence Southeasterly along the South bank of Coosa River to a point where the East line of the West Half (W $\frac{1}{2}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twelve (12) Township Twelve (12) South of Range Six (6) East intersects the South bank of Coosa River at low water mark; thence Southerly along the East line of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Twelve (12) to the Southeast corner thereof; thence Easterly along the North line of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) and the North line of the South Half (S $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Twelve (12) to the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Twelve (12); thence Southerly along the East line of Section Twelve (12) and Thirteen (13), Township Twelve (12) South, of Range Six (6) East to where said line intersects the Cherokee Indian Boundary line; thence in a Southeasterly direction and along said Indian Boundary line to the Northeast corner of Section Nineteen (19), Township Twelve (12) South, of Range Seven (7) East of Huntsville Meridian; thence in a Southerly direction and along the East line of said Section Nineteen (19) to the Southeast corner of said Section Nineteen (19) and to the corporate line of the Town of Glencoe as shown by a map thereof recorded in Final Record "V" page 114, in the Probate Court, Etowah County, Alabama; thence in a Westerly direction and along the South line of said Section Nineteen (19) and along the corporate line of the Town of Glencoe to where the corporate line of the Town of Glencoe turns in a Northwesterly direction; thence in a Northwesterly direction and along the corporate line of the Town of Glencoe to where said corporate line turns in a Southerly direction and along the corporate line of the Town of Glencoe to a point in the South line of said Section Nineteen (19), thence in a Westerly direction and along the South line of said Section Nineteen (19) to the Southwest corner of said Section Nineteen (19); thence in a Northerly direction and along the West line of said Section Nineteen (19) to the Southwest line of the Gadsden and Anniston Highway, as shown by the map of McCord's Subdivision recorded in Plat Book "D", page 119, Probate office, Etowah County, Alabama; thence in a Northwesterly direction and along the Southwest line of said Highway to the South line of the North Half (N $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) in Section Twenty-four (24), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian; thence in a Westerly direction and along the South line of said North Half (N $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) in said Section Twenty-four (24) and along the South line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) in said Section Twenty-four (24) to a point in the Northeast line of Keeling Road; as shown by the map of Hadley Farms recorded in Plat Book "B", page 236, in said Probate Office; thence in a Northwesterly direction and along the Northeast line of the Keeling Road to the Indian

Boundary line; thence in a Northwesterly direction and along the Indian Boundary line to the Southwest corner of the Northeast part of the Southeast Fractional Quarter in Section Fourteen (14), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian; thence South along the East line of Fraction B, and along the East line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Fourteen (14), to a point Three Hundred and Ninety (390) feet South of the Northeast (NE) corner of the said Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Fourteen (14); thence North Eighty-Seven (87) degrees Three (03) Minutes West a distance of One Thousand Three Hundred and Seventeen (1317) feet to a point in the West line of the said Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Fourteen (14); thence North along the West line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Fourteen (14), and along the West line of Fraction B in the said Section Fourteen (14) to the Northwest (NW) corner of said Fraction B, which is also a point on the Cherokee Indian Boundary Line; thence in a Northwesterly direction along the said Indian Boundary Line to the Southwest corner of the East part of the North Fractional part of the Southwest (SW) Fractional Quarter of Section Fourteen (14) North of the Indian Boundary Line; thence Northerly along the West line of the said East part of the North Fractional part of the Southwest (SW) Fractional Quarter of Section Fourteen (14) and along the West line of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Fourteen (14) to the Northwest (NW) corner thereof; thence in a Westerly direction and along the South line of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) in said Section Fourteen (14) to the West line of said Section Fourteen (14); thence Southerly along the West line of Section Fourteen (14), which is the East line of Section Fifteen (15) to a point four hundred ninety-two (492) feet South of the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Fifteen (15), thence South thirty-four (34) degrees thirty-seven (37) minutes West, along the East line of Lots Eighteen (18) and Nineteen (19) in Block Seven (7) of the Crestview Land Company Addition, two hundred (200) feet, thence North fifty (50) degrees thirteen (13) minutes West along the South boundary of the Crestview Land Company addition one thousand and six hundred seventy-eight (1678) feet, thence North twenty-seven (27) degrees twenty-two (22) minutes East along the Northwest boundary of the Crestview Land Company Addition to a point on the North and South center line of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Fifteen (15), where said Northwest boundary of Crestview Land Company Addition intersects center line; thence Northerly along the said center line of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Fifteen (15) to the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Fifteen (15), which is the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Ten (10) Township Twelve (12) South, of Range Six (6) East; thence in a Westerly direction and along the South line of said Section Ten (10) and along the South line of Section Nine (9) Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian to the Northeast corner of Government Lot Number Three (3) in Section Sixteen (16), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian; thence in a Southerly direction and along the East line of Government Lots Numbers Three (3), Six (6), Nine (9) and Eleven (11) and said lines extended to the South bank of Big Wills Creek, thence in an Easterly direction and down the South Bank of said Creek to a point where the East line of the West Half (W $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) in Section Twenty-one (21), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian, produced Northerly, intersects said Creek bank; thence Southerly and along the East line of the West Half (W $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) in

said Section Twenty-one (21), and said line produced in a Northerly direction, to a point in the Northwest right-of-way line of the Gadsden-Birmingham Highway, otherwise known as Rainbow Drive; thence in a Southwesterly direction and along the Northwest right-of-way line of said highway to the East line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) in said Section Twenty-one (21); thence in a Southerly direction and along the East line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) in said Section Twenty-one (21) to the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) in said Section Twenty-one (21); thence in an Easterly direction and along the North line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ), Section Twenty-eight (28), Township Twelve (12) South, Range Six (6) East of Huntsville Meridian, to the West line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Twenty-one (21); thence in a Northerly direction and along the West line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Twenty-one (21) to the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said section Twenty-one (21); thence in an Easterly direction and along the North line of the South Half (S $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Twenty-one (21) to the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Twenty-one (21); thence in a Southerly direction and along the East line of said Section Twenty-one (21) to the Southeast corner of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Twenty-one (21); thence in a Westerly direction and along the South line of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Twenty-one (21) to the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ), Section Twenty-eight (28), Township Twelve (12) South, Range Six (6) East of the Huntsville Meridian; thence in a Southerly direction and along the East line of the West Half (W $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Twenty-eight (28) to the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Twenty-eight (28); thence in a Westerly direction and along the South line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Twenty-eight (28) to the Northeast corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section Twenty-eight (28); thence in a Southerly direction and along the East line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section Twenty-eight (28) to the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section Twenty-eight (28); thence in a Westerly direction and along the South line of the North Half (N $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section Twenty-eight (28) to the Southwest corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section Twenty-eight (28); thence in a Northerly direction and along the West line of said Section Twenty-eight (28) to the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Twenty-eight (28); thence in an Easterly direction and along the North line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Twenty-eight (28) for a distance of Two Hundred and Thirty-two (232) feet to the West line of a certain Street; thence in a Northeasterly and Northwesterly direction and along the West line of said Street to a point in the Southeast right-of-way line of the Gadsden-Birmingham Highway, otherwise known as Rainbow Drive; thence in a Northeasterly direction and along the Southeast right-of-way line of said highway to the South line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ), Section Twenty-one (21), Township Twelve (12) South, Range Six (6) East of the Huntsville Meridian;



thence in a Westerly direction and along the South line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section Twenty-one (21) to the Southwest corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) Section Twenty-one (21), Range Six (6) East, Township Twelve (12) South, East of Huntsville Meridian; thence Northerly and along the West line of said Section Twenty-one (21) to the Southerly bank of Big Will Creek; thence in a Northeasterly and Easterly direction and along the Southerly bank of said Creek to a point which is two hundred (200) feet West, drawn in a line parallel with the North line of Section Sixteen (16) hereinbefore mentioned, from where the East line of Government Lot Number Eleven (11) in said Section Sixteen (16) if produced in a Southerly Direction would intersect the South bank of said Creek; thence in a Northerly direction and parallel with the East lines of Government Lots Numbers Eleven (11), Nine (9), Six (6) and Three (3) in said Section Sixteen (16) and parallel with the East line of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) in Section Nine (9) Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian to a point in the South line of the North Half (N $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) in said Section Nine (9); thence in a Westerly direction and along the South line of the North Half (N $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) in said Section Nine (9) to the Southwest corner thereof; thence Northerly and along the West line of the North Half (N $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) in said Section nine (9) to the Southeast corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) in said Section Nine (9); thence in a Westerly direction and along the South line of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) in said Section Nine (9) and along the South line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) Section Eight (8) to the Southwest corner of said Northeast Quarter (NE $\frac{1}{4}$ ) of Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Eight (8), which is also the Northeast corner of the Southwest Quarter of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Eight (8); thence Southerly along the East line of said Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Eight (8) and along the East lines of Lots or Fractions Two (2) and Seven (7), Section Seventeen (17) to the Southeast corner of Lot or Fraction Seven (7); thence Westerly along the South line of Lot or Fraction Seven (7); Section Seventeen (17) to the Southwest corner thereof; thence Northerly along the West line of said lot or Fraction Seven (7) to the Northwest corner thereof; thence Westerly along the South line of Lots or Fractions Three (3) and Four (4) of Section Seventeen (17) and the South lines of Lots or Fractions One (1) and Two (2), Section Eighteen (18) to the Southwest corner of said Lot or Fraction Two (2); thence Northerly along the West line of said Lot or Fraction Two (2) to the Northwest corner thereof; said point being in the division line between Sections Seven (7) and Eighteen (18); thence Westerly along the South line of Section Seven (7) to the Southwest corner thereof; thence Northerly along the West line of lot or Fraction Thirteen (13) to the Northwest corner of Said Lot or Fraction Thirteen (13) of said Section Seven (7) which is also the Southeast corner of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Twelve (12); Township Twelve (12) South, of Range Five (5); thence Westerly along the South line of the said Southeast Quarter (SE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Twelve (12) to the Southwest corner thereof; thence Northerly along the West line of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Twelve (12), to the Northwest corner thereof; thence West along the South line of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Twelve (12) to the Southwest corner thereof which is the Southeast corner of Lot or Fraction "A" otherwise known as the Northeast Quarter

(NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twelve (12), Township Twelve (12) South, Range Five (5) East of Huntsville Meridian, and from thence run Southerly and along the East line of Fraction "C" in said Section Twelve (12) to the Southwest corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) in said section Twelve (12); thence West and along the South line of said Southwest Quarter (SW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) in said Section Twelve (12) extended in a Westerly direction across said Fraction "C" to a point in the West, or Southwest bank of Big Wills Creek; thence Northerly and Northwesterly up and along the West, or Southwest bank of Big Wills Creek to a point which is 140 feet Southeast of, and at right angles to, the center line of the Eighty (80) foot strip as described in a deed from the United States of America to Etowah County, Alabama, dated Twenty-fifth of February, 1948, and recorded in Record Book "361", Page 153, Probate Office, Etowah County, Alabama; thence South Thirty-nine (39) degrees eighteen (18) minutes West and parallel with the center line described in said deed above mentioned to a point in the East line of the West Half (W $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section Twelve (12); thence Southerly and along the East line of the West Half (W $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) in said Section Twelve (12) and along the East line of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) in Section Thirteen (13) Township Twelve (12) South of Range Five (5) East of Huntsville Meridian, to the Southeast corner of said Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) in said Section Thirteen (13); thence in a Westerly direction and along the South line of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) in said Section Thirteen (13) and along the South line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) in Section Fourteen (14), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, to a point in the West line of what is known as the "Airport" Road; thence Southerly and along the West line of said "Airport" Road to a point where the West right-of-way line of said "Airport" Road intersects the Northerly right-of-way of what is known as the "Steel Station" Road; thence Westerly and Southwesterly and along the Northerly right-of-way line of said "Steel Station" Road to where said right-of-way line intersects the dividing line between Sections Twenty-six (26) and Twenty-seven (27), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian; thence Northerly and along said Section line to the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) in said Section Twenty-seven (27); thence Westerly and along the South line of said Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) in Section Twenty-seven (27) to the Southwest corner thereof; thence North and along the West line of said Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) in Section Twenty-seven (27) and along the West line of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) in Section Twenty-two (22); Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, to the Northwest corner of said Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) in Section Twenty-two (22); thence East and along the North line of said Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) in Section Twenty-two (22) to the Northeast corner thereof which said last mentioned point in the West line of Section Twenty-three (23), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian; thence North and along the West line of said Section Twenty-three (23) a distance of one-half ( $\frac{1}{2}$ ) mile to the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) in said Section Twenty-three (23); thence East and along the North line of said Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) in Section Twenty-three (23) to the Northeast corner thereof; which is also the Southwest corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) in said Section Twenty-three

(23); thence Northerly and along the West line of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) in said Section Twenty-three (23) and along the West line of the East Half ( $E\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) and the East Half ( $E\frac{1}{2}$ ) of the Northwest Quarter in Section Fourteen (14), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, and along the West line of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) in Section Eleven (11) Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, to a point of intersection with the North right-of-way line of Highway from Morgan's Cross Roads to Camp Sibert; thence in a Westerly direction and along the north-right-of-way line of said Highway last mentioned, to where the same intersects the West line of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) in Section Fifteen (15), Township Twelve (12) South of Range Five (5) East of Huntsville Meridian, Alabama; thence North and along the West line of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) in said Section Fifteen (15) and along the West line of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) in Section Ten (10), Township Twelve (12) South, Range Five (5) East of Huntsville Meridian to the Northwest corner of said Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) in Section Ten (10); thence East and along the North lines of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) in Section Ten (10) and along the North line of the South Half ( $S\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) and the South Half ( $S\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) in Section Eleven (11), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, Alabama, and along the North line of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) in Section Twelve (12) to a point which is One Hundred Forty (140) feet Northwest of, and at right angles to, the center line of the Eighty (80) foot strip described in the deed from the United States of America to Etowah County, Alabama, dated the 25th of February, 1948, and recorded in record Book "361," Page 153, hereinbefore mentioned; thence North Thirty-nine (39) degrees Eighteen (18) minutes East and parallel with said center line to a point in the West line of Lot or Fraction, "C" in Section Twelve (12), Township Twelve (12) South of Range Five (5) East of Huntsville Meridian, Alabama, thence Northerly and along the West line of Lots, or Fractions "C" and "A" in said Section Twelve (12) to the Northwest corner of said lot, or Fraction "A", which said point is in the present City limits of the City of Gadsden; thence West along the South line of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section One (1), Township Twelve (12) South, Range Five (5) East to the Southwest corner thereof; thence Northerly and along the West line of said Section One (1) to the Northwest corner thereof; which is also the Southeast corner of Section Thirty-five (35), Township Eleven (11) South, of Range Five (5) East of Huntsville Meridian; thence in a Westerly direction and along the South line of said Section Thirty-five (35) to the East bank of Little Wills Creek; thence in a Northerly and Northeasterly direction up the East bank of Little Wills Creek to the North line of said Section Thirty-five (35); thence in an Easterly direction and along the North line of said Section Thirty-five (35) and along the North line of Section Thirty-six (36), Township Eleven (11) South, of Range Five (5) East of Huntsville Meridian and along the North line of Section Thirty-one (31), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian to the North and South center line of Section Thirty (30), Township Eleven (11) South of Range Six (6) East of Huntsville Meridian; thence Northerly and along the North and South center line of said Section Thirty (30) to a point in the South line of Section Nineteen (19), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence in an Easterly direction and along the South line of said Section Nineteen (19) to the Southwest corner of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) in said

Section Nineteen (19); thence Northerly and along the West line of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) in said Section Nineteen (19) to the Northwest corner thereof; thence Easterly and along the North line of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) in said Section Nineteen (19) to the West line of said Section Twenty (20), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence Northerly and along the West line of said Section Twenty (20) to the Northwest corner of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) in said Section Twenty (20); thence in an Easterly direction and along the North line of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) in said Section Twenty (20) to the Southwest corner of the East Half ( $E\frac{1}{2}$ ) of the Northwest Quarter in said Section Twenty (20); thence in a Northerly direction and along the West line of the East Half ( $E\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) in said Section Twenty (20) to the South line of Section Seventeen (17), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence in an Easterly direction and along the South line of said Section Seventeen (17) to the Southwest corner of the Southeast Quarter ( $SE\frac{1}{4}$ ) in said Section Seventeen (17); thence in a Northerly direction and along the West line of the Southeast Quarter ( $SE\frac{1}{4}$ ) in said Section Seventeen (17) to the Northwest corner thereof; thence in an Easterly direction and along the North line of the Southeast Quarter ( $SE\frac{1}{4}$ ) in said Section Seventeen (17) to the point of beginning, save and except the property on which the new Glencoe High School is located, beginning at a point seventy-five (75) feet South of where the center line of Baldwin Street projected easterly would intersect with the East line of Section 19, Township 12, South, of range 7 East; thence South Eighty-eight (88) degrees Ten (10) Minutes West and parallel with the said Baldwin Street Two Hundred Seventy-five (275) feet to a point Sixty (60) feet East of the center line of the Railroad sup; thence South Eight (8) Degrees thirty-six (36) minutes West One Hundred (100) feet; thence South Sixteen (16) degrees Forty-four (44) minutes West One Hundred (100) feet; thence South Twenty-seven (27) Degrees Twenty-five (25) minutes West One Hundred (100) feet; thence South Thirty-seven (37) Degrees Twenty-five (25) Minutes West One Hundred (100) feet; thence South Forty-seven (47) degrees Three (3) Minutes West One Hundred (100) feet; thence South Forty-eight (48) Degrees Forty-three (43) Minutes West One Hundred (100) feet; thence South Fifty-nine (59) Degrees Forty-four (44) Minutes West Eighty One and Five Tenths (81.5) feet to a point Thirty (30) feet East of the center line of Rains Avenue; thence South One (1) Degree Fifty (50) Minutes East along the East line of Rains Avenue Eleven Hundred Fifty-six and Five-tenths (1156.5) feet more or less to the South line of Section Nineteen (19); thence North Eighty-eight (88) Degrees Ten (10) Minutes East along the South line of said Section Nineteen (19) Six Hundred Sixty and Five-tenths (660.5) feet more or less to the Southeast corner of said Section Nineteen (19), Township Twelve (12) South, of Range Seven (7) East; thence North One (1) Degree Fifty (50) Minutes West along the East line of said Section 19 Sixteen Hundred Eighty-three (1683) feet more or less to point of beginning; all being in the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Nineteen (19), Township Twelve (12) South, of Range Seven (7), East of Huntsville Meridian, containing Twenty and Seventy-five Hundredths (20.75) acres, all in Etowah County, Alabama.

Section 2. That the boundaries set out in Section One (1) of this Act be, and the same are hereby established as the corporate limits of said City of Gadsden, Etowah County, Alabama, and all the territory included and embraced within said boundaries shall hereafter be and constitute a part of the City of Gadsden, Etowah County, Alabama.

Section 3. That all laws and parts of laws both general, special, and local, in conflict with this Act be, and the same are hereby repealed.

Section 4. That this act shall go into effect immediately upon its approval by the Governor.

**THE STATE OF ALABAMA  
THE COUNTY OF ETOWAH**

I, W. R. Hooks, City Engineer for the City of Gadsden, Etowah County, Alabama, do hereby certify that I have checked the description shown on the foregoing pages numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 and said description embraces within its boundaries all of the present corporate limits of the City of Gadsden and the new territory to be taken in under the foregoing proposed Act.

Witness my hand and seal this the 8 day of June, 1951.

W. R. HOOKS,  
City Engineer of the City of Gadsden,  
Etowah County, Alabama.

Sworn to and subscribed before me on this 8 day of June, 1951.  
T. A. P. Carman, Notary Republic.  
June 21, 28, July 5, 12.

**STATE OF ALABAMA  
ETOWAH COUNTY**

Before me, Walter Betz, a Notary Public, in and for said County, in said State, personally appeared Arline Sprayberry, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit A Bill To Be Entitled An Act, which notice was printed in the Gadsden Times in its regularly circulated editions on June 21, June 28 and July 5, July 12, 1951, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appeared in The Gadsden Times on the dates shown above.

Subscribed and sworn to before me on this the 12th day of July, 1951.

ARLINE SPRAYBERRY.

Subscribed and sworn to before me on this the 12th day of July, 1951.

WALTER BETZ,  
Notary Public, Etowah County, Ala.

Also:

By Mr. Brannan:

H. 824. Relating to Baldwin County: proposing an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts in Baldwin County, and the fees, commissions, percentages, allowances and salary of, and the method of compensating any officer of Baldwin County; and ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

Also:

By Mr. Brannan:

H. 825. Relating to Baldwin County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### A BILL TO BE ENTITLED AN ACT

Relating to Baldwin County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Baldwin County shall receive the following annual salaries and allowances, in lieu of all other compensation:

- (a) Probate Judge—salary: \$7,200, Clerk hire allowance: \$8,400.
- (b) Tax Assessor—salary: \$6,000, Clerk hire allowance: \$4,800.
- (c) Tax Collector—salary: \$5,400, Clerk hire allowance: \$3,000.
- (d) Sheriff—salary: \$6,000.00, Allowance for paying subordinates: \$4,800.00.
- (e) Circuit Clerk—salary: \$3,600, Clerk hire allowance: \$2,400.
- (f) Register in Chancery—salary: \$1,800, Clerk hire allowance: None.

Section 2. All fees, commissions, allowances, percentages, charges and costs heretofore collected for the use of any of the officers enumerated in Section 1 of this Act shall be collected and paid into the general fund of the county.

Section 3. The compensation of the officers enumerated in Section 1 of this Act and of their clerks, deputies, and assistants shall be paid in equal monthly installments as the salaries of other county employees are paid.

Section 4. Each of the officers enumerated in Section 1 of this Act shall select, discharge, and fix the salaries of his subordinates. But no officer shall use the allowance provided in Section 1 hereof for any purpose other than paying subordinates.

Section 5. The governing body of Baldwin County is authorized to adopt rules and regulations for conducting and operating the county offices affected by this Act, if such are necessary as a result of changing the method and basis of compensation.

Section 6. The governing body of Baldwin County shall provide the officers enumerated herein with the necessary quarters, books, stationery, office equipment, supplies, postage and other conveniences and equipment for the proper and efficient conduct of the affairs of their offices.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective as to the various offices

affected by it upon the expiration of the terms of office of the incumbents and upon the ratification and adoption of an amendmet to the Constitution of Alabama authorizing such an act. 22-4tc.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill to Change Method of Compensating Certain County Officers was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication June 21, 1951, Vol. 62, No. 22.

Date of 2nd publication June 28, 1951, Vol. 62, No. 23.

Date of 3rd publication July 5, 1951, Vol. 62, No. 24.

Date of 4th publication July 12, 1951, Vol. 62, No. 25.

Subscribed and sworn before the undersigned this 13 day of July, 1951.

DOROTHY MARTIN,  
Notary Public, Baldwin County.

JIMMY FAULKNER,  
Publisher.

Also:

By Messrs. Fite (Walker) and Black:

H. 837. To submit to the qualified voters of the State of Alabama, at an election to be held on the First Tuesday after the First Monday in November, 1952, for their consideration, an amendment to the constitution of Alabama, so as to authorize the Legislature of Alabama, from time to time, by one or more local laws, to place the Register of the Circuit Court, Clerk of the Circuit Court, Tax Assessor, Tax Collector and the Probate Judge of Walker County, Alabama, on a salary and fix the amount of such salaries and method of payment and to provide a method and basis of compensation for Clerk hire of each of said offices and to fix a maximum amount of money which may be expended annually for such clerk hire.

Also:

By Messrs. Taylor and Wesley:

H. 850. To authorize, empower and require the County Board of Education of Butler County, Alabama to pay the costs and expenses of the quadrennial school census of said county, to purchase and procure any and all necessary items and services, to pay all of the expenses in connection with the operation of the office of the County Board of Education, its officers and agents thereof, and to pay for the same from County School Funds.

With notice and proof thereto attached and herewith exhibited as follows:

## AN ACT

To authorize, empower and require the County Board of Education of Butler County, Alabama to pay the costs and expenses of the quadrennial school census of said County, to purchase and procure any and all necessary items and services, to pay all of the expenses in connection with the operation of the office of the County Board of Education, its officers and agents thereof, and to pay for the same from County school funds.

Be It Enacted by the Legislature of Alabama:

Section 1: That the County Board of Education of Butler County, Alabama, be and they are hereby authorized, empowered and required to pay the costs and expenses of the quadrennial school census of said County out of the County school funds of Butler County, Alabama.

Section 2: That the County Board of Education be and they are hereby authorized, empowered and required to purchase and procure any and all necessary items and services and to pay all expenses in connection with the operation of the County Board of Education, its officers and agents, and to pay for the same from school funds. Such authority shall include, without limiting the generality of the same, the purchase and procurement of office equipment, supplies, stationery, postage, post office box rent, office rent, telephone and telegraph tolls.

Section 3: All laws and parts of laws in conflict hereto are hereby repealed.

Section 4: This Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.

June 21-28, July 5, 12

STATE OF ALABAMA  
BUTLER COUNTY

I, Paul E. Nichols, N. P., in and for said county, hereby certify that R. W. Pride whose name is signed below, appeared before me and stated under oath that he is publisher of the Butler County News, a newspaper published weekly in the Town of Georgiana, Butler County, State of Alabama, and that the attached notice of publication, An Act appeared in said newspaper on the following dates: June 21, June 28, July 5 and July 12, 1951.

Signed R. W. PRIDE.

Sworn to and subscribed before me this the 16th day of July, 1951.

PAUL E. NICHOLS,  
N. P.

My commission expires July 31, 1952.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 797, 824, 825, 837 and 850—To the Committee on Local Legislation.

The above bills, H. B. 824 and H. B. 837, were read at length as required by the Constitution.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in Session, has compared the following Senate Bill and Resolution with the Engrossed and original Bill and Resolution, respectively, and finds same correctly enrolled, to-wit:



S. 10. To provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not more than 400,000 inhabitants according to the last or any succeeding Federal Census; to provide for the claiming of statutory exemptions on such property; and to provide penalties for failure to comply with the provision of this Act.

Also:

S. J. R. 51. Relative to naming S. B. 411.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILL AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 256, with suggested executive amendments.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

July 31, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 256, with suggested executive amendments, as follows:

A. Amend said bill by striking the words "Alabama State Building Commission" wherever they appear in the caption and body of said bill, and substituting in lieu thereof, the following: "Building Commission created by Act No. 128, approved June 16, 1945 (General Acts of Alabama, 1945, page 116.)"

B. Amend said bill further by striking the words "payable to the State Treasury" where they appear in Section 2 of said bill, and substituting in lieu thereof the following: "payable to the State Treasurer".

The suggested amendment is made with the full knowledge and approval and at the request of the author of said bill, and if adopted will remove my objections to the bill.

Respectfully,  
GORDON PERSONS,  
Governor.

## GOVERNOR'S MESSAGE

On motion of Mr. Boutwell, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 256. To provide for the transfer of any surplus over and above \$1,500,000.00 in the State Treasury to the credit of the General Fund after the payment of all appropriations now or hereafter made payable from said funds for each of the fiscal years ending September 30, 1951, and September 30, 1953, to the Alabama State Building Commission to be used as a part of the Building Commission Fund.

which said amendment is set out in the foregoing Message from the Governor.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
Andrews	Foster	Locke (Perry)	Robison
Bonner	Golson	McCary	Skidmore
Boutwell	High	Norrell	Smith
Byars	Hollis	Phillips	Sollie
Clayton	Johnson (Chambers)	Pinson	Thagard
Eddins	Jones	Quarles	Todd
Farmer	Larkins	Reneau	Whatley

—31

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the Executive Amendment, was again read at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Richardson
Andrews	Foster	Locke (Perry)	Robison
Bonner	Golson	McCary	Skidmore
Boutwell	High	Norrell	Smith
Byars	Hollis	Phillips	Sollie
Clayton	Johnson (Chambers)	Pinson	Thagard
Eddins	Jones	Quarles	Todd
Fant	Larkins	Reneau	Whatley

—31

Nays:

—0

Which was a majority of the whole number elected to the Senate.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 156, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

July 31, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 156, with a suggested executive amendment, as follows:

Amend said bill by striking therefrom Section 1 thereof and substituting in lieu therefor Section 1 to read as follows:

"Section 1. Any person who wilfully or knowingly makes to any officer authorized to issue a hunting, fishing, fur-bearing animal or seafood license a false statement as to his or her name, age, residence, or any other statement relevant to the purchasing of said license, or any person who makes to any officer designated to issue hunting, fishing, fur-bearing animal or seafood licenses an incorrect statement when purchasing a license for another, and makes such a statement knowing it to be false, shall be guilty of a misdemeanor and upon conviction will be punished by a fine of not less than twenty-five (\$25.00) dollars nor more than fifty (\$50.00) dollars."

The suggested amendment is made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objections to the bill.

Respectfully,

GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 156. To provide a penalty for giving a false statement in purchasing hunting, fishing, seafood or fur-bearing animal licenses. To further provide a penalty for changing or altering such licenses. To provide a penalty for the lending, borrowing, selling, buying, renting or using the license of another.

which said amendment is set out in the foregoing Message from the Governor.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Reneau
Andrews	Faulkner	Locke (Choctaw)	Richardson
Benson	Foster	Locke (Perry)	Robison
Bonner	High	McCary	Skidmore
Boutwell	Hollis	Norrell	Smith
Byars	Johnson (Chambers)	Phillips	Sollie
Eddins	Johnston (Mobile)	Pinson	Thagard
Fant	Jones	Quarles	Todd

—31

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Reneau	Whatley
Fant	Jones		

—33

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 41, with suggested executive amendments.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

July 31, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 41, with suggested executive amendments, as follows:

A. Amend said bill by striking therefrom the title as the same now appears therein and substituting in lieu thereof a title to read as follows:

"To merge the building commission created by Section 365 of Title 55 of the Code of Alabama (1940), the commission to acquire land created by Section 15, of Title 55 of the Code of Alabama (1940), and the Alabama Building Corporation, with the Building Commission created by Act 128, H. B. 129, approved June 16, 1945, (General Acts of Alabama, 1945, page 116)".

B. Amend said bill further be re-numbering Sections 4 and 5, as the same now appear therein, as Sections 3 and 4, respectively.

The suggested amendments are made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objection to the bill.

Respectfully,

GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Boutwell, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 41. To merge the building commission created by Section 365 of Title 55 of the Code of Alabama (1940), the commission to acquire land created by Section 15 of Title 55 of the Code of Alabama (1940), and the Alabama Building Corporation, with the Building Commission of 1945; and making an appropriation for the maintenance and operation of the Building Commission of 1945 for the next two fiscal years.

which said amendment is set out in the foregoing Message from the Governor.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Reneau
Andrews	Faulkner	Locke (Choctaw)	Richardson
Benson	Foster	Locke (Perry)	Robison
Bonner	Golson	McCary	Skidmore
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Eddins	Johnson (Chambers)	Pinson	Todd
Fant	Johnston (Mobile)	Quarles	
			—30

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the Executive amendment was again read at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
Andrews	Foster	Locke (Perry)	Robison
Benson	Golson	McCary	Skidmore
Bonner	High	Norrell	Smith
Boutwell	Hollis	Phillips	Sollie
Byars	Johnson (Chambers)	Pinson	Thagard
Eddins	Johnston (Mobile)	Quarles	Todd
Fant	Larkins	Reneau	Whatley
Farmer			
			—32

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### RECESS

At 12 o'clock Noon, on motion of Mr. Foster, the Senate took a recess until 2 o'clock this afternoon.

#### AFTERNOON SESSION

#### TWENTY-FIFTH LEGISLATIVE DAY

TUESDAY, JULY 31, 1951

The Senate reassembled at 2 o'clock P. M., Lieutenant-Governor Allen presiding.

#### ROLL CALL

Present:

Messrs.:	Benson	Boutwell	Clayton
Andrews	Bonner	Byars	Eddins

<b>Fant</b>	<b>Johnson</b> (Chambers)	Norrell	<b>Skidmore</b>
<b>Farmer</b>	<b>Johnston</b> (Mobile)	Phillips	<b>Smith</b>
<b>Faulkner</b>	<b>Jones</b>	<b>Pinson</b>	<b>Sollie</b>
<b>Foster</b>	<b>Larkins</b>	Quarles	<b>Thagard</b>
<b>Golson</b>	<b>Locke</b> (Choctaw)	Reneau	<b>Todd</b>
<b>High</b>	<b>Locke</b> (Perry)	<b>Richardson</b>	<b>Whatley</b>
<b>Hollis</b>	<b>McCary</b>	<b>Robison</b>	

—34

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to-wit:

S. 429. Authorizing and directing the governing body of Lawrence County to make an appropriation for the relief of H. P. Warren.

HERBERT B. BYARS,  
Chairman.

## SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Clayton, Sollie and Farmer:

S. B. 558. Relating to boards of trustees of electric cooperatives; amending Section 39, Title 18, Code of Alabama (1940).

Committee on Commerce and Common Carriers.

By Mr. Locke (Choctaw):

S. B. 559. Relating to the assessment of taxes; amending Sections 39, 40, 41, 42 and 43 of Title 51, Code of Alabama (1940).

Committee on Finance and Taxation.

By Mr. Hollis:

S. B. 560. To provide an additional appropriation to the Department of Conservation, Division of State Lands.

Committee on Finance and Taxation.

By Messrs. Byars, Faulkner, Farmer, Larkins, Boutwell, Sollie, Whatley, Thagard and Andrews:

S. B. 561. Proposing an amendment to the Constitution of Alabama relative to the levying of additional ad valorem taxes for public school purposes.

Committee on Constitution and Constitutional  
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Locke (Choctaw), Locke (Perry), Eddins and Faulkner:

S. B. 562. Relating to the tax on the production of oil and gas; amending Section 3 of the Act approved May 19, 1945, entitled "An Act

To provide for additional revenue by levying a privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters, of the State of Alabama; to require all parties engaged in severing such natural resources to set up, keep, and maintain full and complete records of the severance of such resources; to prescribe the method of collecting and enforcing the payment of such tax; to provide for the distribution of the taxes collected; to provide for penalties and punishment and for restraining orders for the violation of the terms and provisions of this Act; and to exempt such products on producing properties and all leases in production, including mineral right in producing properties, from ad valorem taxes," (Act No. 2, H. 47, General Acts, 1945, p. 20).

Committee on Forestry and Conservation.

By Messrs. Locke (Choctaw), Locke (Perry), Eddins and Faulkner:

S. B. 563. Relating to oil and gas leases; providing that the duration of such leases shall be for not longer than ten years from the date of execution thereof.

Committee on Forestry and Conservation.

By Messrs. Locke (Choctaw), Locke (Perry) and Eddins:

S. B. 564. Relating to oil and gas; limiting the duration of a grant or reservation of petroleum, gas, oil, or other hydrocarbons.

Committee on Forestry and Conservation.

By Messrs. Locke (Choctaw), Locke (Perry), Eddins and Faulkner:

S. B. 565. Relating to oil and gas; amending Section 26 of the Act approved May 22, 1945, entitled "An Act to conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama," (Act No. 1, H. 46, General Acts, 1945, p. 1).

Committee on Forestry and Conservation.

By Messrs. Locke (Choctaw), Locke (Perry), Eddins and Faulkner:

S. B. 566. Exempting from ad valorem taxation all non-producing interests upon oil, gas and other minerals, as herein defined, and also non-producing severed mineral and royalty interests therein, hereinafter created or transferred or hereafter registered, and also levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interests in non-producing oil, gas or other minerals, as herein defined.

Committee on Finance and Taxation.

By Messrs. Locke (Choctaw), Locke (Perry), Eddins and Faulkner:

S. B. 567. To amend Sections 3, 4, 7, 17, 21 and 23 of Act No. 1, H. 46, approved May 22, 1945 (General Acts of Alabama, 1945 page 1), entitled "An Act to conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama."

Committee on Forestry and Conservation.

By Mr. Larkins:

S. B. 568. Relating to counties which have populations of not less than 30,000 nor more than 40,000 inhabitants, according to the 1950 or

any subsequent decennial census of the United States, and two court-houses; providing for the appointment of a deputy sheriff in addition to the chief deputy in the office of the sheriff, and to provide for the payment of his compensation.

Committee on Local Legislation.

By Messrs. Locke (Choctaw), Locke (Perry), and Johnson (Chambers):

S. B. 569. To make it unlawful to make or present for payment any false, fictitious, or fraudulent claim against the State of Alabama or any county thereof, or for the purpose of obtaining the payment of such claim to make any fraudulent statement or representation, or by any other manner or means aid the payment of such fraudulent claim, and to prescribe the penalties for violating this Act.

Committee on Judiciary.

By Mr. Skidmore:

S. B. 570. Relating to cities having a population of not less than 35,000 nor more than 55,000 inhabitants; authorizing such cities to levy and collect privilege license taxes on the sale of malt or brewed beverages within their police jurisdictions at the same rate as such taxes are levied within their corporate limits.

Committee on Local Legislation.

### REPORTS OF COMMITTEES

Mr. Quarles, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Quarles:

S. 440. To propose amendments to Sections 272, 273 and 276, Article XV, Constitution of Alabama, pertaining to the organization, equipment, and discipline of the State Military forces; the administering of State military affairs; the appointment, suspension, discharge, removal and compulsory retirement of State military officers and The Adjutant General; and the qualifications of members of the Federally recognized National Guard.

The above bill was read a second time at length as required by the Constitution.

### BILLS ON THIRD READING

The Bill:

H. 773. To further provide for the general revenue of the State of Alabama and to fix the license and registration fee on certain motor vehicles.

was taken up.

Mr. Smith offered the following amendment to the Bill, to-wit:

Amend Section 1 of the bill to read as follows:

"Section 1. Any provision of law to the contrary notwithstanding, the license and registration fee on automobiles used primarily for private passenger purposes, and motorcycles, shall be three dollars. As used herein, the term "automobiles" shall include, but shall not be limited to, jeeps, station wagons, other motor vehicles of similar construction, and pickup trucks."

On motion of Mr. Clayton, said amendment was laid on the table.

Yeas 20; Nays 10.



*Yeas:*

Messrs.:	<b>Eddins</b>	Johnston ( <i>Mobile</i> )	Phillips
<b>Benson</b>	Faulkner	Jones	Pinson
<b>Bonner</b>	Foster	Larkins	Quarles
Boutwell	High	Locke ( <i>Choctaw</i> )	Richardson
Byars	Hollis	Norrell	Skidmore
<b>Clayton</b>			

—20

*Nays:*

Messrs.:	Golson	McCary	Sollie
Andrews	Johnson ( <i>Chambers</i> )	Robison	Whatley
Fant	Locke ( <i>Perry</i> )	Smith	

—10

Mr. Smith also offered the following amendment to the Bill:

Amend Section 1 of the bill to read as follows:

"Section 1. Any other provision of law to the contrary notwithstanding, the license and registration fee on automobiles used primarily for private passenger purposes and motorcycles shall be three dollars. As used herein the term "automobiles" shall include, but shall not be limited to jeeps, station wagons, other motor vehicles of similar construction, and pickup trucks used primarily for agricultural purposes."

On motion of Mr. Clayton, said amendment was laid on the table.

Yeas 19; Nays 14.

*Yeas:*

Messrs.:	<b>Clayton</b>	Johnston ( <i>Mobile</i> )	Quarles
<b>Benson</b>	<b>Eddins</b>	Jones	Reneau
Bonner	Foster	Larkins	Richardson
Boutwell	High	Phillips	Skidmore
Byars	Hollis	Pinson	Todd

—19

*Nays:*

Messrs.:	Faulkner	Locke ( <i>Perry</i> )	Smith
Andrews	Golson	McCary	Sollie
Fant	Johnson ( <i>Chambers</i> )	Norrell	Whatley
Farmer	Locke ( <i>Choctaw</i> )	Robison	

—14

Mr. Andrews offered the following amendment to the Bill, to-wit:

To amend House Bill 773 by adding at the end thereof the following:

"This act shall take effect October 1, 1956."

On motion of Mr. Clayton, said amendment was laid on the table.

Yeas 28; Nays 5.

*Yeas:*

Messrs.:	Farmer	Jones	Pinson
<b>Benson</b>	Faulkner	Larkins	Quarles
Bonner	Foster	Locke ( <i>Choctaw</i> )	Reneau
Boutwell	Golson	Locke ( <i>Perry</i> )	Richardson
Byars	High	McCary	Skidmore
<b>Clayton</b>	Hollis	Norrell	Thagard
Eddins	Johnston ( <i>Mobile</i> )	Phillips	Todd
Fant			

—28

*Nays:*

Messrs.:	Johnson (Chambers)	Sollie	Whatley	
Andrews	Smith			—5

And said Bill was then read a third time at length and passed.

Yeas 28; Nays 6.

*Yeas:*

Messrs.:	Farmer	Larkins	Quarles	
Benson	Faulkner	Locke (Choctaw)	Reneau	
Bonner	Foster	Locke (Perry)	Richardson	
Boutwell	High	McCary	Robison	
Byars	Hollis	Norrell	Skidmore	
Clayton	Johnston (Mobile)	Phillips	Thagard	
Eddins	Jones	Pinson	Todd	
Fant				—28

*Nays:*

Messrs.:	Golson	Smith	Whatley	
Andrews	Johnson (Chambers)	Sollie		—6

The Bill:

H. 772. Relating to the distribution of the motor vehicle and trailer license tax; amending Section 713, Title 51, Code of Alabama (1940), as amended by Act No. 471, S. 305, Acts of Alabama, 1949, p. 688.

Was read a third time at length and passed.

Yeas 32; Nays 0.

*Yeas:*

Messrs.:	Farmer	Locke (Choctaw)	Richardson	
Andrews	Foster	Locke (Perry)	Robison	
Benson	High	McCary	Skidmore	
Bonner	Hollis	Norrell	Smith	
Boutwell	Johnson (Chambers)	Phillips	Sollie	
Byars	Johnston (Mobile)	Pinson	Thagard	
Clayton	Jones	Quarles	Todd	
Eddins	Larkins	Reneau	Whatley	
Fant				—32

*Nays:*

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 256. To provide for the transfer of any surplus over and above \$1,500,000.00 in the State Treasury to the credit of the General Fund after the payment of all appropriations now or hereafter made payable from said funds for each of the fiscal years ending September 30, 1951, and September 30, 1953, to the Building Commission created by Act No. 128, approved June 16, 1945 (General Acts of Alabama, 1945, page 116.) to be used as a part of the Building Commission Fund.

By a vote of a majority of the whole number elected to the House, said vote being: Yeas 81; Nays 0.

And said bill, as thus amended by the Executive amendment, was

again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 74; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 41. To merge the building commission created by Section 365 of Title 55 of the Code of Alabama (1940), the commission to acquire land created by Section 15, of Title 55 of the Code of Alabama (1940), and the Alabama Building Corporation, with the Building Commission created by Act 128, H. B. 129, approved June 16, 1945, (General Acts of Alabama, 1945, page 116).

By a vote of a majority of the whole number elected to the House, said vote being: Yeas 70; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 71; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 156. To provide a penalty for giving a false statement in purchasing hunting, fishing, seafood or fur-bearing animal licenses. To further provide a penalty for changing or altering such licenses. To provide a penalty for the lending, borrowing, selling, buying, renting or using the license of another.

By a vote of a majority of the whole number elected to the House, said vote being: Yeas 68, Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 70, Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 327, said Governor's message being in words and figures as follows, to-wit:

## MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 327, with suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

July 31, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 327, with suggested executive amendments, as follows:

Amend House Bill No. 327, as follows:

A. By adding at the end of Section 66, the following:

"Provided further, however, that in any county where the Tax Assessor is on a salary basis the additional compensation provided for in this Section shall not be applicable."

B. By adding at the end of Section 67, the following:

"Provided, however, that in any county where the Tax Assessor is on a salary basis the additional compensation provided for in this Section shall not be applicable."

C. By striking from said bill Section 68½.

The suggested amendments are made with the full knowledge and approval and at the request of the author of said bill, and if adopted will remove my objections to the bill.

Respectfully,

GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 327 by a vote of Yeas 58, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 327. Relating to the plat books of tax assessors; amending Sections 66, 67, and 68, Title 51, Code of Alabama (1940), as amended.

As amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 57, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Clayton the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 327, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison	
Andrews	High	Locke (Perry)	Skidmore	
Bonner	Hollis	McCary	Sollie	
Boutwell	Johnson (Chambers)	Norrell	Thagard	
Clayton	Johnston (Mobile)	Quarles	Todd	
Eddins	Jones	Reneau	Whatley	
Fant	Larkins	Richardson		—26

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison	
Benson	High	Locke (Perry)	Skidmore	
Bonner	Hollis	McCary	Smith	
Boutwell	Johnson (Chambers)	Norrell	Sollie	
Clayton	Johnston (Mobile)	Reneau	Thagard	
Eddins	Jones	Richardson	Todd	
Fant	Larkins			—25

Nays: —0

Which was a majority of the whole number elected to the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 672, said Governor's message being in words and figures as follows, to-wit:

## MESSAGE FROM THE GOVERNOR

To the House of Representatives

State Capitol

Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 672, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

July 31, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 672, with a suggested executive amendment, as follows:

Amend House Bill No. 672 by striking therefrom Section 2 thereof and substituting in lieu thereof Section 2 to read as follows:

"Section 2. The Board of Registrars of Cullman County, in order to perform the duties imposed upon them by this Act, shall come into session on the first Tuesday after the first Monday after this Act becomes effective for the purposes hereof; that it shall perform the duties of purging the registration list of Cullman County in the manner now provided by law."

The suggested amendment is made with the full knowledge and approval and at the request of the author of said bill, and if adopted will remove my objection to the bill.

Respectfully,  
GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 672 by a vote of Yeas 59, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 672. Relating to Cullman County to authorize the Board of Registrars of Cullman County to meet and be in session for sixty days for purging the registration list, and to provide compensation therefor to provide for clerk and other incidental expenses.

As amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 63, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Fant, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill; H. B. 672, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
Benson	Foster	Locke (Perry)	Robison
Byars	High	McCary	Skidmore
Clayton	Hollis	Pinson	Smith
Eddins	Johnson (Chambers)	Quarles	Sollie
Fant	Jones	Reneau	Thagard

Nays:

—23

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Foster	Jones	Reneau
Benson	Golson	Locke (Choctaw)	Richardson
Bonner	High	Locke (Perry)	Robison
Byars	Hollis	McCary	Skidmore
Clayton	Johnson (Chambers)	Pinson	Thagard
Fant	Johnston (Mobile)	Quarles	Todd

—23

Nays:

—0

Which was a majority of the whole number elected to the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Malone (Limestone):

H. 876. Relating to Limestone County; amending Section 2 of the Act approved July 27, 1931 (Act No. 541, S. 578, Local Acts, 1931, p. 258) entitled "An Act To create and establish a Board of Revenue in and for Limestone County, Alabama, to be composed of five members, one of whom shall be chairman of said board; to fix the qualifications of the chairman and the members of said board; to provide where the chairman and members of said board shall reside during their term of office; to abolish the Court of County Commissioners of said County; to divide said County into four districts and to define the boundaries of each of said districts; to designate, declare and appoint a member from each of said districts and to define the term of office of each of said members of the Board of Revenue so designated, declared and appointed; to provide for the appointment of the chairman of said board and to fix the term of his office under said appointment; to provide for the filling of vacancies in said board; to provide for the nomination of the chairman and each member of said board; to provide for the election of the chairman of the said board and the members designated, declared and appointed by this Act at the expiration of their respective terms of office; to define the power and jurisdiction of the said board; to fix the compensation of the chairman and members of said board; to confer upon the said board all the jurisdiction, power and authority granted by law to Courts of County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; to repeal all laws in conflict with this Act."

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICES

#### A BILL TO BE ENTITLED AN ACT

Relating to Limestone County; amending Section 2 of the Act approved July 27, 1931 (Act No. 541, S. 578, Local Acts, 1931, p. 258) entitled "An Act to create and establish a Board of Revenue in and for Limestone County, Alabama, to be composed of five members, one of

whom shall be chairman of said board; to fix the qualifications of the chairman and the members of said board; to provide where the chairman and members of said board shall reside during their term of office; to abolish the Court of County Commissioners of said county; to divide said county into four districts and to define the boundaries of each of said districts; to designate, declare and appoint a member from each of said districts and to define the term of office of each of said members of the Board of Revenue so designated, declared and appointed; to provide for the appointment of the chairman of said board and to fix the term of his office under said appointment; to provide for the filling of vacancies in said board; to provide for the nomination of the chairman and each member of said board; to provide for the election of the chairman of the said board and the members designated, declared and appointed by this Act at the expiration of their respective terms of office; to define the power and jurisdiction of the said board; to fix the compensation of the chairman and members of said board; to confer upon the said board all the jurisdiction, power and authority granted by law to Courts of County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; to repeal all laws in conflict with this Act."

Be It Enacted by the Legislature of Alabama:

Section 2 of the Act approved July 27, 1931 (Act No. 541, S. 578, Local Acts, 1931, p. 258) entitled "An Act To Create and Establish a Board of Revenue in and for Limestone County, Alabama, to be composed of five members, one of whom shall be chairman of said board; to fix the qualifications of the chairman and the members of said board; to provide where the chairman and members of said board shall reside during their term of office; to abolish the Court of County Commissioners of said County; to divide said County into four districts and to define the boundaries of each of said districts; to designate, declare and appoint a member from each of said districts and to define the term of office of each of said members of the Board of Revenue so designated, declared and appointed; to provide for the appointment of the chairman of said board and to fix the term of his office under said appointment; to provide for the filling of vacancies in said board; to provide for the nomination of the chairman and each member of said board; to provide for the election of the chairman of the said board and the members designated, declared and appointed by this Act at the expiration of their respective terms of office; to define the power and jurisdiction of the said board; to fix the compensation of the chairman and members of said board; to confer upon the said board all the jurisdiction, power and authority granted by law to Courts of County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; to repeal all laws in conflict with this Act" is amended to read as follows:

"Section 2. That for the purpose of this Act and the enforcement thereof, the said County of Limestone is hereby divided into four (4) subdivisions, to be known as Districts, and numbered respectively from one (1) to four (4) both inclusive. District Number one (1) shall include the following territory: Beginning at the Northeast corner of Limestone County, being also the Northeast corner of Township one, South, Range 3 West and running thence west along the State line a distance of about thirteen and three-fourths (13 $\frac{3}{4}$ ) miles to the center of Elk River, thence in a southerly direction with said river to the point where said river intersects the south boundary of Township 1, South, Range 5, West, thence east with said Township line about four (4) miles to a point where the south boundary of Township 1, South, Range 4, West intersects the Athens-Bethel Rd., thence in a southerly direction with said Road and Jefferson Street to the intersection of Jefferson and Market Streets at the Northwest corner of the courthouse square, thence with the center of Market Street east to Clinton Street, thence with center of Clinton Street north to Pryor Street, thence in a northeasterly direction with



the center of Pryor Street and the Bee Line Highway to the west boundary of Range 3, West, thence north with said range line about one and one-fourth ( $1\frac{1}{4}$ ) miles to the Southwest corner of Section 19, Township 2, South, Range 3 West thence east along the section line a distance of six (6) miles to the Southeast corner of Section 24, Township 2 South, Range 3 West, which is the east boundry of Limestone County, thence north with said east boundry a distance of ten (10) miles to point of beginning. District Number two (2) shall include the following territory: Beginning in the center of the Tennessee River and at the Southeast corner of Limestone County and running thence north along the east boundry of Limestone County a distance of twenty and one-fourth ( $20\frac{1}{4}$ ) miles, thence west with the section line a distance of six (6) miles to the west boundry of Range 3 West, thence south along said range line one and one-fourth miles to the center of the Bee Line Highway, thence in a south-westerly direction with said Highway and Pryor Street to the intersection of Pryor and Clinton Streets in the City of Athens, thence south along the center of Clinton St. to the center of Market Street, thence west along the center of Market Street to the Center of Marion Street at the Northeast corner of the Courthouse square, thence south along the center of Marion St. to the center of Washington Street, at the Southeast corner of the Courthouse square, thence east along the center of Washington Street to the Center of the L & N Railroad where it crosses the said Washington Street, thence south along the center of said railroad to the center of the Huntsville-Brownsferry Road, which is the south boundary of Township 3, South, thence east along the center of the Huntsville-Brownsferry Road a distance of about three and one-half ( $3\frac{1}{2}$ ) miles to center of Piney Creek, thence in a southerly direction along the center of Piney Creek to the center of the Southern Railroad where it crosses said creek, thence in a south-westerly direction along the center of the Southern Railroad to the Center of the Tennessee River, thence in a southeasterly direction with the center of the Tennessee River to the point of beginning. District Number three (3) shall include the following territory: Beginning at a point on the west boundry of Limestone County, said point being in the center of Elk River where the said west boundry intersects the center of said river and running thence with the center of Elk River to the center of the Tennessee River, thence in a southeasterly direction with the center of the Tennessee River to the center of the Southern Railroad, thence in a northeasterly direction with the center of the Southern Railroad to the center of Piney Creek, thence in a northerly direction with the center of Piney Creek to the center of the Huntsville-Brownsferry Road, thence west with the center of the Huntsville-Brownsferry Road, to the center of the L & N Railroad, thence north along the center of the L & N Railroad to the center of Washington Street in the city of Athens, thence west along the center of Washington Street to Jefferson Street; thence in a northerly direction with the center of Jefferson Street and the center of the Elkmont-Bethel Road to the South boundary of Township 1, South, thence west with the township line to the southwest corner of Township 1, South, Range 4 West, thence south with the range line to the southeast corner of Section 36, Township 2 South, Range 5 West, thence with the South boundary of Township 2 to the center of Elk River, thence along center of Elk river to the west boundary of Limestone County which is the point of beginning. District Number four (4) shall include the following territory: Beginning at the Northwest corner of Limestone County the same being the northwest corner of Township 1 South, Range 6 West and running thence south along the line which separates Lauderdale and Limestone Counties to the center of Elk River, thence in an easterly direction along the center of Elk River to the southwest corner of Section 35, Township 2 South, Range 6 West, thence east along the Township line a distance of eight (8) miles to the southeast corner of Township 2, South, Range 5 West; thence north a distance of six (6) miles to the Southeast corner of Township 1, South, Range 5 West, thence west with the Township line to the center of Elk River, thence in a northerly direction with the

center of Elk River to the Northern boundary of Limestone County, thence west along the State line a distance of about ten and one-fourth (10¼) miles to the point of beginning."

W. W. MALONE, JR.,  
State Representative.

J19

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, July 12, and July 19, all in the year 1951.

STEELE MCGREW.

Sworn to and subscribed before me July 25, 1951.

ALDENA CHAPMAN,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 876—To the Committee on Local Legislation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 772. Relating to the distribution of the motor vehicle and trailer license tax; amending Section 713, Title 51, Code of Alabama (1940), as amended by Act No. 471, S. 305, Acts of Alabama, 1949, p. 688.

Also:

H. 773. To further provide for the general revenue of the State of Alabama and to fix the license and registration fee on certain motor vehicles.

Also:

H. J. R. 83. Relative to naming House Bills 381, 382, 599 and 600.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Russell, Harrison (Shelby), White (Covington), Shelton, Baker, Martin, Dawkins, Morgan (Jefferson), Pflieger and Kendall:

H. 262. To make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 262—To the Committee on Finance and Taxation.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 708. Authorizing, empowering and directing the Judge of Probate of Marshall County, Alabama, to record all minutes, judgments, orders and decrees of the Probate Court or decrees made and entered by the Probate Court in the Book of Final Records of said Court instead of having them recorded in the Minutes in said Court separate and apart from the Final Record and provides when this Act shall become effective.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Skidmore
Andrews	Fant	Hollis	Smith
Benson	Farmer	McCary	Sollie
Boutwell	Faulkner	Norrell	Thagard
Byars	Foster	Robison	Todd
Clayton	Golson		

—21

Nays:

—0

The Bill:

H. 709. To establish the County Court of Marshall County, Alabama; to create and define its jurisdiction; to provide its officers, their powers, duties, qualifications and compensations, and manner of payment to them; to regulate the compensation of witnesses in said Court; to fix the terms of said Court, and the place of holding the same; to provide for the transfer of all misdemeanors now pending in the County Court of

Marshall County which Court is abolished, as now constituted, into this Court for trial and provide for the transfer of all juvenile cases now pending in the Probate Court of Marshall County, Alabama, and of all domestic relations cases brought under the provisions of Article 3 of Chapter 4 of Title 34 of the Code of Alabama of 1940 from the Probate Court into this Court; to abolish criminal jurisdiction of Justices of the Peace; to regulate payment of fees of officers, and witnesses in said Court; to prescribe rules, regulating the procedure, pleading and practice in said Court; to provide for payment of fines and forfeitures paid into said Court into the County Treasury of Marshall County; to provide for the taxing and collecting of County Court cost and fees; to provide for registration of certificates of judgments from said Court; to make the provisions of Chapters 6, 10, 11, 12, 20, 27 and 35 of Title 7 of the Code of Alabama of 1940, as amended, applicable to said Court; to provide for the transfer of cases from said Court to the Circuit Court in case the Presiding Judge in said Court is incompetent to try the same; to give the Court jurisdiction of offenses under Chapter 7 of Title 13 of the Code of Alabama of 1940, and Article 3 of Chapter 4 of Title 34 of said Code; to provide for appeals from said Court; to provide for taxing and collecting solicitor's fees in said Court and provide for their payment into the County Treasury; and provide for appeals from Justice Courts in civil cases in Marshall County to said Court; to provide for appeals from said Court to the Circuit Court and prescribing rules and regulations governing said appeals; to provide that the Judge of said Court shall have authority to make examination of preliminary proceedings as provided in Chapter 6 of Title 15 of the Code of Alabama of 1940; to regulate the practice of law by the Judge of said Court; to provide for acquisition of books, equipment and supplies for the operation of said Court and its offices; to provide that should any Section or part of a Section of this Act be declared unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the remaining Sections or parts of Sections of this Act; and to provide that this Act shall go into effect immediately upon its approval.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Smith	
Andrews	Fant	Hollis	Sollie	
Benson	Farmer	Richardson	Thagard	
Boutwell	Faulkner	Robison	Todd	
Byars	Foster	Skidmore	Whatley	
Clayton	Golson			—21

Nays:

—0

The Bill:

H. 710. To abolish the Office of the Deputy or County Solicitor of Marshall County Alabama, and to provide that all of the duties, powers and authorities now held by said Deputy or County Solicitor be and the same are hereby conferred upon the Circuit Solicitor of the Judicial Circuit composed of Marshall County, Alabama, and to provide that said Circuit Solicitor shall perform all of said duties without additional compensation and provide when this Act shall become effective.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Benson	Byars	Eddins
Andrews	Boutwell	Clayton	Fant

Farmer	High	Robison	Sollie	
Faulkner	Hollis	Skidmore	Thagard	
Foster	Locke (Choctaw)	Smith	Todd	
Golson	Locke (Perry)			—21

Nays: —0

## The Bill:

H. 150. To provide for the issuance of special license tags to owners of private or pleasure motor vehicles who hold valid amateur radio station license issued by the Federal Communications Commission, upon which, in lieu of the numbers as prescribed by law, shall be inscribed the official Amateur Radio Station call letters of such owner, and to provide for the payment of an additional fee of \$1.00 by each Amateur Radio Operator issued a special license tag as herein provided for.

Was read a third time at length and passed.

Yeas 29; Nays 0.

## Yeas:

Messrs.:	Foster	Locke (Choctaw)	Richardson	
Andrews	Golson	Locke (Perry)	Robison	
Boutwell	High	McCary	Skidmore	
Byars	Hollis	Phillips	Smith	
Eddins	Johnson (Chambers)	Pinson	Sollie	
Fant	Johnston (Mobile)	Quarles	Thagard	
Farmer	Jones	Reneau	Whatley	
Faulkner	Larkins			—29

Nays: —0

## The Bill:

S. 283. To authorize counties to issue and sell interest bearing warrants to procure funds for erecting court houses or other necessary public County buildings, the principal and interest to be payable from the proceeds derived from the collection of the special taxes levied and collected and to be levied and collected under authority of Section 215 of the Constitution of Alabama of 1901 for paying debts created for erecting necessary public buildings, roads or bridges; to provide for the manner of issuance thereof and mode of payment with interest thereon; to provide for the creation of a special fund for payment; to provide for the registration of such warrants and interest thereon against the said special taxes and authorizing the irrevocable pledge thereof for the payment of said warrants and interest; to provide for the exemption of said warrants with interest thereon and income therefrom from taxation under the laws of the State of Alabama.

was taken up.

The Standing Committee on Counties and County Boundaries reported the following substitute for the Bill, to-wit:

## SUBSTITUTE FOR S. B. 283

A BILL  
TO BE ENTITLED  
AN ACT

To authorize counties to procure funds for erecting courthouses or other necessary public county buildings and to that end from time to time to sell and issue interest bearing warrants, the principal and interest to be payable from the proceeds derived from the collection of the special taxes levied and collected and to be levied and collected under

authority of Section 215 of the Constitution of Alabama of 1901 for paying debts created for erecting necessary public buildings, roads or bridges; to provide for the manner of issuance and sale thereof and mode of payment with interest thereon; to provide that such warrants shall be a debt of the county payable from the proceeds derived from the collection of the aforesaid special taxes, but authorizing any deficiency therein to be paid from the General Fund of the county; to provide for the creation of a special fund for payment of said warrants with interest thereon; to provide for subsequent issues of said warrants and pledges of said special taxes for the payment thereof; to authorize the pro rata pledge of said special taxes for payment of all warrants in any one authorized issue; to provide for priority of successive pledges of said taxes in the order of different issues of warrants authorized hereunder, but authorizing the governing body in the proceedings for the sale and issue of warrants hereunder to reserve the right to place subsequently issued warrants on a parity with warrants then issued so that all subsequently issued warrants may share pro rata in the pledge or pledges of such special taxes with warrants then issued and with each other; to provide for the exemption of said warrants with interest thereon and income therefrom from taxation in the State of Alabama; and to provide for maturity thereof over a period of years, the time during which said warrants shall mature and the limit of the amount payable in any one year.

Be It Enacted by the Legislature of Alabama:

Section 1. The several counties of the State of Alabama are hereby given authority to procure funds for erecting courthouses or other necessary public county buildings, and to that end the Court of County Commissioners, Board of Revenue or other governing body of any county in this State may from time to time sell and issue interest bearing warrants payable from the proceeds derived from the collection of the special taxes levied and collected and to be levied and collected under authority of Section 215 of the Constitution of Alabama of 1901 for paying debts created for erecting necessary public buildings, roads or bridges.

Section 2. Warrants issued under the provisions of this act shall mature serially in such annual installments as may be fixed by the governing body of the county in the proceedings authorizing their issuance, the first such installment to be payable not later than three years after the date of the warrants and the last installment to be payable not later than thirty years after the date of the warrants; provided, that the last installment shall be payable within the period of usefulness of the improvement or property for which the warrants are issued as shall be estimated by the governing body of the county in the proceedings authorizing their issuance. No installment of principal on such warrants coming due in any successive twelve months' period shall be more than three times as great as the smallest installment of principal coming due on the warrants of the same issue in any prior twelve months' period. The interest on said warrants may be payable annually or semi-annually at the discretion of the governing body and be evidence by coupons attached to said warrants or otherwise as the governing body of such county may deem advisable. The said warrants and coupons may be executed and signed in such manner and by such officers as the governing body may determine.

Section 3. All warrants issued under the provisions of this act may be sold at public or private sale in such manner and from time to time as may be determined by the governing body of the county, and they together with the interest thereon and income therefrom, shall be exempt from any and all taxation in the State of Alabama.

Section 4. Said warrants and interest thereon shall constitute a debt of the county payable from the proceeds derived from the collection of the aforesaid special taxes. Provided, however, that the governing body of the county may, in the proceedings authorizing the sale and issue of

such warrants provide that, should there be insufficient funds on hand derived from the collection of such special taxes to pay any such warrants and interest when the same are payable, such deficiency shall be paid from the general fund of the county.

Section 5. Such governing body of the county may provide for the creation of a special fund by the annual setting aside of a sufficient amount of such taxes to pay the warrants maturing each year and all interest accruing and said warrants maturing and interest becoming due each year shall have priority of payment over all subsequent pledges of and claims against said special taxes levied and collected in each of said years, unless otherwise stipulated in the manner hereinafter provided in this act.

Section 6. Provision may be made by the governing body of the county for the registration of warrants issued pursuant to this act and interest thereon against said special taxes levied and collected and to be levied and collected by virtue of the aforesaid authority. The governing body of the county may in like manner at any subsequent time or times sell and issue additional warrants of like character herein authorized and pledge for the payment thereof and interest thereon the proceeds derived from the collection of the aforesaid special taxes, with or without the special provision authorized in Section 4 hereof for the payment of any deficiency from the general fund of the county; and such successive pledges of said special taxes shall, unless otherwise provided, take precedence in the order of the issues of said warrants, but the governing body may provide that all warrants in any one authorized issue shall, as to each other, share pro rata in the said pledge without preference of one over another. Provided, however, that such governing body may, in any proceeding authorizing the sale and issuance of such warrants, reserve the right to sell and issue at subsequent dates or times additional warrants of the character authorized by this act with like pledges for the payment thereof with the provision that such subsequently issued warrants shall share pro rata in the pledge of such special taxes on a parity with warrants then authorized to be issued by such proceeding and with each other.

Section 7. If any section, sentence, clause or provision of this act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses or provisions of this act, which shall continue effective.

Mr. Reneau offered the following amendment to the substitute, for the Bill, to-wit:

Amend the substitute for S. B. 283 as follows:

Strike from the title the words "but authorizing any deficiency therein to be paid from the General Fund of the County"

Strike out the word "thirty" appearing in Section 2 and insert in lieu thereof the word "twenty"

Change the semicolon appearing in the first sentence of Section 2 after the word "warrants" to a period and strike out the words "provided, that the last installment shall be payable within the period of usefulness of the improvement or property for which the warrants are issued as shall be estimated by the governing body of the county in the proceedings authorizing their issuance"

Insert the word "only" between the words "payable from" in Section 4.

Strike out all the words and figures in Section 4 which follow the words "the aforesaid special taxes"

Strike out the words "with or without the special provision authorized in Section 4 hereof for the payment of any deficiency from the general fund of the county" appearing in the second sentence of Section 6.

Which was adopted.

Messrs. Johnston (Mobile), Eddins, Byars and Robison offered the following amendment to the substitute, as amended, for the bill, to-wit:

Amend substitute for S. B. 283 by striking the words "or private" which appear in the second line of Section 3 thereof.

Which was adopted.

Messrs. Boutwell and Robison offered the following amendment to the substitute, as amended, for the bill, to-wit:

Amend substitute for Senate Bill No. 283 by adding after the words "The several counties of the State of Alabama" in Section 1 the following words "except counties having a population of 400,000 or more according to the present or any future federal census", and in all counties having a population between 96,000 and 141,000 according to the present or any future federal census."

Which was adopted.

Mr. Phillips offered the following amendment to the substitute, as amended, for the bill, to-wit:

Amend Substitute for S. B. 283, as amended by adding after the words, "according to the present or any future Federal Census", where said words last appear in Section 1 of said bill, the following:

"and further, except in counties having a population of not less than 29,500 and not more than 30,500 according to the last or any future Federal Census, and except in counties having a population of not less than 26,700 and not more than 27,000 according to the last or any subsequent Federal Census, and except in counties having a population of not less than 17,700 and not more than 18,200 according to the last or any subsequent Federal Census".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Reneau
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	High	Locke (Perry)	Skidmore
Boutwell	Hollis	Norrell	Sollie
Byars	Johnson (Chambers)	Phillips	Thagard
Clayton	Johnston (Mobile)	Pinson	Whatley
Eddins			

—24

Nays:

—0

And the substitute, as amended, for the Bill was then adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Byars	Faulkner	Johnson (Chambers)
Andrews	Eddins	Foster	Johnston (Mobile)
Benson	Fant	High	Jones
Boutwell	Farmer	Hollis	Locke (Choctaw)



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Locke (Perry)	Pinson	Robison	Thagard	
McCary	Reneau	Skidmore	Whatley	
Norrell	Richardson	Sollie		—26

*Nays:* —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 15; Nays 12.

*Yeas:*

Messrs.:	High	Larkins	Pinson	
Andrews	Hollis	Locke (Choctaw)	Reneau	
Benson	Johnston (Mobile)	Locke (Perry)	Skidmore	
Clayton	Jones	McCary	Sollie	—15

*Nays:*

Messrs.:	Fant	Norrell	Smith	
Bonner	Golson	Richardson	Thagard	
Boutwell	Johnson (Chambers)	Robison	Whatley	
Eddins				—12

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 166. To amend Title 22, Section 199, Code of Alabama of 1940, as amended, which relates to care of tubercular patients.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Adams (Jefferson), Morgan, (Jefferson), Beatty, Huey, Dumas, Meeks, Shelton, Bamburg, Kaul, Morgan (Tuscaloosa), McCoy, Adams (Dale), Simpson, Roberson, White (Covington), Kendall, Adams (Tallapoosa), Wallace, Coburn, Miller, White (Cullman), Martin and Wilson:

H. 272. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Also:

By Messrs. Fite (Walker) and Oden:

H. 271. To make an appropriation for the support of the Council of State Governments.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Mes-

sage from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 272 and 271—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Harrison (Shelby), Russell and Wallace:

H. 635. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics and agriculture.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 635—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Adams (Tallapoosa), Johnson, Ward, Brown, Smith, Morgan (Jefferson), Kendall, White (Covington), McClendon, Weathers, Scruggs, Thomas, Bush, Shelton, Solomon, Butler, Sellers and Hall:

H. 283. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 283.—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Pruitt:

H. 602. To require the Division of the Budget and the Budget Officer to furnish certain fiscal information and data to members of the Legislature and to assist in the fiscal management of the Alabama Building Commission or its successor; to provide for the salary of the State Budget Officer, and to provide an effective date for this Act.

Also: \

By Mr. Meeks:

H. 231. To provide a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee; and to provide a supplement to the retirement benefits of certain state employees who are now or will be retired by the Board of Trustees of the Employees' Retirement System under provisions of Act 515, approved July 9, 1945; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund from which said assistance payments shall be made; and to repeal act number 607 approved October 9, 1947 which provides a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945.

Also:

By Mr. Givhan:

H. 728. To further amend Section 55 of Title 47 of the Code of Alabama of 1940.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 602 and 231—To the Committee on Finance and Taxation.

H. B. 728—To the Committee on Forestry and Conservation.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 496. Relating to the administration of pardons, paroles, and the remission of fines and forfeitures; amending Chapter 1, Title 42, Code of Alabama (1940).

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

### SENATE JUDICIARY AMENDMENT TO S. B. 496:

Amend S. B. 496 by adding the word "only" in Section 8 thereof between the words "granted" and "by" in the thirteenth line of said Section.

Amend Section 1 of S. B. 496 by adding the words "or circuit solicitor" after the word "case" and before the word "or" in the eighteenth line of said Section.

Amend S. B. 496 by striking the word "confirm" in the title of Section 18 and substitute therefor the word "continue".

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Bonner	Byars	Eddins
Benson	Boutwell	Clayton	Fant

Farmer	Johnston (Mobile)	McCary	Richardson	
Golson	Jones	Norrell	Robison	
High	Larkins	Phillips	Skidmore	
Hollis	Locke (Choctaw)	Quarles	Sollie	
Johnson (Chambers)	Locke (Perry)	Reneau		—26

*Nays:* —0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

*Yeas:*

Messrs.:	Clayton	Johnston (Mobile)	Quarles	
Andrews	Fant	Locke (Choctaw)	Richardson	
Benson	Farmer	McCary	Robison	
Bonner	High	Norrell	Skidmore	
Boutwell	Hollis	Phillips	Sollie	
Byars	Johnson (Chambers)	Pinson	Whatley	—23

*Nays:* —0

The Bill:

H. 51. To amend Section 88 of Title 36 of the Code of Alabama (1940), as amended, which relates to fines and forfeitures for violations of the laws relating to motor vehicles.

Was read a third time at length and passed.

Yeas 25; Nays 5.

*Yeas:*

Messrs.:	Fant	McCary	Robison	
Andrews	Farmer	Phillips	Skidmore	
Benson	Faulkner	Pinson	Smith	
Boutwell	High	Quarles	Sollie	
Byars	Hollis	Reneau	Thagard	
Clayton	Johnson (Chambers)	Richardson	Whatley	—25
Eddins	Jones			

*Nays:*

Messrs.:	Golson	Locke (Perry)	Norrell	
Bonner	Larkins			—5

The Bill:

S. 524. To provide for a commission to study and make recommendations for economy and more efficiency in State Government.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Years 26; Nays 0.

*Yeas:*

Messrs.:	Byars	Hollis	Locke (Choctaw)	
Andrews	Eddins	Johnson (Chambers)	Locke (Perry)	
Benson	Fant	Johnston (Mobile)	McCary	
Bonner	Faulkner	Jones	Phillips	
Boutwell	High	Larkins	Pinson	

Quarles	Richardson	Sollie	Whatley	
Reneau	Robison	Thagard		—26
<i>Nays:</i>				—0

The Bill:

S. 500. To amend Sections 279, 283, 287 and 289 of Title 26, 1940 Code of Alabama, as amended, relating to Workmen's Compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 25; Nay 1.

*Yeas:*

Messrs.:	Fant	Locke (Choctaw)	Reneau	
Andrews	Farmer	Locke (Perry)	Richardson	
Benson	Faulkner	McCary	Robison	
Boutwell	Johnson (Chambers)	Norrell	Skidmore	
Byars	Johnston (Mobile)	Pinson	Thagard	
Clayton	Jones	Quarles	Whatley	
Eddins	Larkins			—25

*Nay:* Mr. Bonner —1

The Bill:

S. 428. To amend Sections 1, 2, 3, 4, 5, 6, 7 and 8½ of Act No. 370 of the Legislature of Alabama 1947, entitled "An Act relating to livestock; prescribing certain powers and duties of the Department of Agriculture and Industries with respect to preventing, combating and extirpating certain contagious, infectious and communicable diseases of livestock; providing for the purchase, distribution and administration of anti-hog cholera serum, hog cholera virus and any other approved immunizing agent and making an appropriation therefor," approved August 16, 1947.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fant	Locke (Perry)	Richardson	
Andrews	Farmer	McCary	Robison	
Benson	Hollis	Norrell	Skidmore	
Boutwell	Johnson (Chambers)	Phillips	Smith	
Byars	Johnston (Mobile)	Pinson	Thagard	
Clayton	Larkins	Reneau	Whatley	
Eddins	Locke (Choctaw)			—25

*Nays:* —0

The Bill:

H. 523. Authorizing and directing the State Military Department to make a payment for the relief of Mr. and Mrs. Ralph Coleman Griffin, Sr.

Was read a third time at length and passed.

Yeas 23; Nays 0.

*Yeas:*

Messrs.:	Benson	Clayton	Fant
Andrews	Boutwell	Eddins	Farmer

High	Locke (Choctaw)	Phillips	Robison
Hollis	Locke (Perry)	Pinson	Skidmore
Johnston (Mobile)	McCary	Reneau	Smith
Jones	Norrell	Richardson	Whatley

—23

*Nays:*

—0

The Bill:

S. 422. To propose an amendment to the Constitution relating to the levy and collection of a special property tax for the construction, alteration, and upkeep of public school buildings in Jackson County.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fant	Phillips	Skidmore
Andrews	Farmer	Pinson	Smith
Benson	Faulkner	Quarles	Sollie
Boutwell	Foster	Reneau	Thagard
Byars	Golson	Richardson	Todd
Clayton	High	Robison	Whatley
Eddins	Hollis		

—25

*Nays:*

—0

The Bill:

H. 60. To impose extra, new, and additional duties upon the Chief Examiner of Public Accounts; to provide additional compensation for the performance of the extra, new, and additional duties imposed upon him; and to provide for the payment of additional compensation for the performance of such duties.

Was read a third time at length and passed.

Yeas 18; Nays 3.

*Yeas:*

Messrs.:	Eddins	Larkins	Robison
Andrews	Fant	Locke (Perry)	Skidmore
Benson	Farmer	Phillips	Smith
Boutwell	Hollis	Pinson	Whatley
Clayton	Johnson (Chambers)	Richardson	

—18

*Nays:* Messrs. Bonner, Johnston (Mobile), and Reneau

—3

The Bill:

S. 379. To amend Title 51, Section 651, Code of Alabama 1940, which relates to the keeping of records of sales, withdrawals and distributions by distributors, refiners, storers, or retail dealers of gasoline and other motor fuel.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 26; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Reneau
Andrews	Farmer	Locke (Choctaw)	Richardson
Benson	High	Locke (Perry)	Robison
Bonner	Hollis	McCary	Skidmore
Boutwell	Johnson (Chambers)	Norrell	Smith
Byars	Johnston (Mobile)	Phillips	Whatley
Clayton	Jones	Pinson	—26

*Nays:* —0

The Bill:

S. 380. To amend Title 51, Section 636, Code of Alabama 1940, which relates to the keeping of records of sales of oils, greases or substitutes by distributors, manufacturers, storers, or retail dealers.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 23; Nays 0.

*Yeas:*

Messrs.:	Clayton	Jones	Reneau
Andrews	Fant	Locke (Choctaw)	Richardson
Benson	Farmer	Locke (Perry)	Robison
Bonner	High	Norrell	Skidmore
Boutwell	Hollis	Phillips	Smith
Byars	Johnson (Chambers)	Pinson	Whatley
			—23

*Nays:* —0

The Bill:

S. 381. To amend Title 51, Section 665(7), Code of Alabama 1940, as amended, which relates to the keeping of books showing sales, etc. to be kept for three years in lieu of the two year period as heretofore provided.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Eddins	Locke (Choctaw)	Reneau
Andrews	Fant	Locke (Perry)	Richardson
Benson	Farmer	McCary	Robison
Bonner	High	Norrell	Skidmore
Boutwell	Hollis	Phillips	Smith
Byars	Johnson (Chambers)	Pinson	Whatley
Clayton	Jones		—25

*Nays:* —0

The Bill:

S. 382. To amend Title 51, Section 913, Code of Alabama 1940, which relates to the refund on over-payment directly to the State Department of Revenue.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 22; Nays 0.

*Yeas:*

Messrs.:	Clayton	Jones	Reneau
Andrews	Eddins	Locke (Choctaw)	Richardson
Benson	Fant	Locke (Perry)	Robison
Bonner	High	McCary	Skidmore
Boutwell	Hollis	Norrell	Smith
Byars	Johnson (Chambers)	Pinson	

—22

*Nays:*

—0

*The Bill:*

S. 383. To amend Title 51, Section 759, Code of Alabama 1940, which relates to the keeping of records for the purpose of the Sales Tax Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fant	Locke (Choctaw)	Reneau
Andrews	Farmer	Locke (Perry)	Richardson
Benson	High	McCary	Robison
Bonner	Hollis	Norrell	Skidmore
Boutwell	Johnson (Chambers)	Phillips	Smith
Byars	Jones	Pinson	Whatley
Clayton	Larkins		

—25

*Nays:*

—0

*The Bill:*

S. 399. To amend Title 51, Section 658, Code of Alabama 1940, as amended, which relates to the effect of acceptance of money on recovery of balance of excise tax due; and to further provide that petitions for refund shall be filed within three years from the date of the payment of any excess, and that all actions by the State for the recovery of additional amounts claimed as excise tax due under this Article shall be commenced within a period of three years; and to further provide that the limitation contained in this Section of three years, shall also apply to the tax levied on all other motor fuels included in Title 51, whether same be included under another Article or Section of Title 51, Code of Alabama 1940, or not.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 24; Nays 0.

*Yeas:*

Messrs.:	Fant	Locke (Choctaw)	Reneau
Andrews	Farmer	Locke (Perry)	Richardson
Benson	High	McCary	Robison
Bonner	Hollis	Norrell	Skidmore
Boutwell	Johnson (Chambers)	Phillips	Smith
Byars	Johnston (Mobile)	Pinson	Whatley
Clayton			

—24

*Nays:*

—0

**RESOLUTION**

Mr. McCary offered the following Senate Joint Resolution, to-wit:

S. J. R. 54. BE IT RESOLVED by the Senate, the House of Repre-



sentatives concurring, that Senate Bill 166, having passed both Houses, shall be known as the Wright, Boutwell, Miller, Kendall, Russell, Harrison (Shelby), and Summerlin Bill.

And on motion of Mr. McCary the Rules were suspended and the Resolution adopted by the Senate.

### BILLS ON THIRD READING RESUMED

#### The Bill:

S. 400. To amend Title 51, Section 640, Code of Alabama 1940, as amended, which relates to the effect of acceptance of money on recovery of balance of tax due; and to further provide that petitions for refund shall be filed within three years from the date of the payment of any excess, and that all actions by the State for the recovery of additional amounts claimed as excess due under this Article shall be commenced within a period of three years from the date the return was filed.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 24; Nays 0.

#### Yeas:

Messrs.:	Fant	Locke (Choctaw)	Reneau
Andrews	Farmer	Locke (Perry)	Richardson
Benson	High	McCary	Robison
Bonner	Johnson (Chambers)	Norrell	Skidmore
Boutwell	Johnston (Mobile)	Phillips	Smith
Byars	Jones	Pinson	Whatley
Clayton			—24

Nays: —0

#### The Bill:

S. 455. Relating to criminal procedure; amending Section 7, Title 15, Code of Alabama (1940), which prescribes a rule for addressing petitions in habeas corpus proceedings.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

### SUBSTITUTE FOR S. B. 455

#### A BILL TO BE ENTITLED AN ACT

Relating to criminal procedure; amending Section 7, Title 15, Code of Alabama (1940), which prescribes a rule for addressing petitions in habeas corpus proceedings.

Be It Enacted by the Legislature of Alabama:

Section 7, Title 15, Code of Alabama (1940) is amended to read as follows: "When the petition is required to be addressed to the nearest circuit judge and such judge is absent or incapable of acting, or has refused to grant the writ, or has refused to grant the writ returnable within five days, or has granted the writ returnable in five days but has failed or refused to rule thereon within five days from the return date, it may be addressed to any other circuit judge. In such case, before the writ is granted, proof must be made, either by the oath of the applicant or other

sufficient evidence, of the particular facts which justify such address. The jurisdiction of the nearest circuit judge shall be ousted when the other judge assumes jurisdiction in the premises."

On motion of Mr. Clayton the Committee substitute was laid on the table.

Mr. Clayton offered the following substitute for the Bill, to-wit:

# SUBSTITUTE FOR S. B. 455

## A BILL TO BE ENTITLED AN ACT

Relating to criminal procedure; amending Section 7, Title 15, Code of Alabama (1940), which prescribes a rule for addressing petitions in habeas corpus proceedings.

Be It Enacted by the Legislature of Alabama:

Section 7, Title 15, Code of Alabama (1940) is amended to read as follows: "When the petition is required to be addressed to the nearest circuit judge and such judge is absent or incapable of acting, or has refused to grant the writ, or has refused to grant the writ returnable within five days, or has granted the writ returnable in five days but has failed or refused to rule therein within five days from the return date, it may be addressed to any other circuit judge. In such case, before the writ is granted, proof must be made, either by the oath of the applicant or other sufficient evidence, of the particular facts which justify such address. The jurisdiction of the nearest circuit judge shall be ousted when the petition is filed with any other circuit judge."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Pinson	
Andrews	Fant	Locke (Choclaw)	Reneau	
Benson	Farmer	Locke (Perry)	Richardson	
Bonner	High	McCary	Skidmore	
Boutwell	Hollis	Norrell	Smith	
Byars	Johnson (Chambers)	Phillips	Whatley	—25
Clayton	Johnston (Mobile)			

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Reneau	
Andrews	Fant	Locke (Choclaw)	Richardson	
Benson	Farmer	Locke (Perry)	Robison	
Bonner	High	McCary	Skidmore	
Boutwell	Hollis	Norrell	Smith	
Byars	Johnson (Chambers)	Phillips	Whatley	
Clayton	Johnston (Mobile)	Pinson		—26

Nays:

—0

**The Bill:**

S. 418. To separate the Division of Game, Fish and Seafoods of the Department of Conservation into two distinct divisions. To create within the Department of Conservation a division to be known as the Division of Seafoods. To provide for its personnel, powers, functions and duties. To provide further for the proper operation of said division. To rename the Division of Game, Fish and Seafoods. To authorize the transfer of certain functions and duties from the Division of Game, Fish and Seafoods to the Division of Seafoods. To rename the Game, Fish and Seafoods Fund. To create a Seafoods Fund. To provide what monies shall constitute such fund. To repeal Sections 111, 125, 126 and 127, Title 8 of the 1940 Code of Alabama. To repeal all laws or parts of laws in conflict with this Act and for other purposes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 24; Nays 0.

**Yeas:**

Messrs.:	Eddins	Jones	Reneau
Andrews	Fant	Locke (Choctaw)	Richardson
Benson	High	Locke (Perry)	Robison
Bonner	Hollis	McCary	Skidmore
Boutwell	Johnson (Chambers)	Phillips	Smith
Byars	Johnston (Mobile)	Pinson	Whatley
Clayton			

—24

**Nays:**

—0

At 5:30 P. M., Mr. Eddins moved that the Senate adjourn until Friday, August 3, 1951 at ten o'clock A. M., which motion was lost.

Yeas 11; Nays 12.

**Yeas:**

Messrs.:	Eddins	Hollis	Richardson
Bonner	Farmer	Johnson (Chambers)	Skidmore
Byars	High	McCary	Smith

—11

**Nays:**

Messrs.:	Clayton	Jones	Reneau
Andrews	Fant	Phillips	Robison
Benson	Johnson (Mobile)	Pinson	Whatley
Boutwell			

—12

**The Bill:**

H. 744. Relating to prisons and prisoners; amending Section 22 of Title 45, Code of Alabama (1940); providing for the arrest of escaped convicts.

Was read a third time at length and passed.

Yeas 23; Nays 0.

**Yeas:**

Messrs.:	Boutwell	Fant	Johnson (Chambers)
Andrews	Byars	Farmer	Johnston (Mobile)
Benson	Clayton	High	Jones
Bonner	Eddins	Hollis	Locke (Choctaw)

<b>McCary</b>	<b>Pinson</b>	<b>Robison</b>	<b>Smith</b>	
<b>Phillips</b>	<b>Reneau</b>	<b>Skidmore</b>	<b>Whatley</b>	—23
<i>Nays:</i>				—0

**The Bill:**

H. 746. Relating to prisons and prisoners; making it a felony for any convict or prisoner wilfully or maliciously to injure or destroy any building or property belonging to the State of value in excess of twenty-five dollars and prescribing the penalty therefor.

Was read a third time at length and passed.

Yeas 19; Nays 0.

*Yeas:*

<b>Messrs.:</b>	<b>Clayton</b>	<b>Johnson (Chambers)</b>	<b>Pinson</b>	
<b>Benson</b>	<b>Eddins</b>	<b>Johnston (Mobile)</b>	<b>Reneau</b>	
<b>Bonner</b>	<b>Fant</b>	<b>Jones</b>	<b>Robison</b>	
<b>Boutwell</b>	<b>Farmer</b>	<b>McCary</b>	<b>Skidmore</b>	
<b>Byars</b>	<b>Hollis</b>	<b>Phillips</b>	<b>Smith</b>	—19
<i>Nays:</i>				—0

**The Bill:**

H. 747. Relating to prisons and prisoners; making it a felony for three or more convicts or prisoners to do an unlawful act upon a common cause, or make advances together toward the commission thereof, and prescribing the penalty therefor.

Was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

<b>Messrs.:</b>	<b>Clayton</b>	<b>Johnson (Chambers)</b>	<b>Pinson</b>	
<b>Andrews</b>	<b>Eddins</b>	<b>Johnston (Mobile)</b>	<b>Reneau</b>	
<b>Benson</b>	<b>Fant</b>	<b>Jones</b>	<b>Robison</b>	
<b>Bonner</b>	<b>Farmer</b>	<b>McCary</b>	<b>Skidmore</b>	
<b>Boutwell</b>	<b>Hollis</b>	<b>Phillips</b>		—18
<i>Nays:</i>				—0

**CALENDAR BILLS INDEFINITELY POSTPONED**

On motion of Mr. Clayton, further consideration of the Bills, S. B.'s 460 and 461, was indefinitely postponed by the Senate.

**REPORT OF COMMITTEE  
ON  
REVISION OF THE JOURNAL**

**Mr. President:**

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in session, has carefully examined the Journal of the Senate for the twenty-fifth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the twenty-fifth legislative day approved by the Senate.

## ADJOURNMENT

At 5:45 P. M., on motion of Mr. Reneau and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, August 3, 1951, at 10 o'clock A. M.

## TWENTY-SIXTH LEGISLATIVE DAY

FRIDAY, AUGUST 3, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

## PRAYER

The Session was opened with prayer by Rev. W. H. Swearingen, Chaplain, Kilby Prison.

## ROLL CALL

Present:

Messrs.:	Farmer	Locke (Choctaw)	Robison
Andrews	Faulkner	Locke (Perry)	Skidmore
Benson	Foster	McCary	Smith
Bonner	Golson	Norrell	Sollie
Boutwell	High	Phillips	Thagard
Byars	Hollis	Pinson	Todd
Clayton	Johnson (Chambers)	Quarles	Whatley
Eddins	Jones	Reneau	Wright
Fant	Larkins	Richardson	

—34

## JOURNAL

On motion of Mr. Thagard, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 156. To provide a penalty for giving a false statement in purchasing hunting, fishing, seafood or fur-bearing animal licenses. To further provide a penalty for changing or altering such licenses. To provide a penalty for the lending, borrowing, selling, buying, renting or using the license of another.

Also:

S. 166. To amend Title 22, Section 199, Code of Alabama of 1940, as amended, which relates to care of tubercular patients.

Also:

S. 256. To provide for the transfer of any surplus over and above \$1,500,000.00 in the State Treasury to the credit of the General Fund after the payment of all appropriations now or hereafter made payable from said funds for each of the fiscal years ending September 30, 1951, and September 30, 1953, to the Building Commission created by Act No. 128, approved June 16, 1945 (General Acts of Alabama, 1945, page 116.) to be used as a part of the Building Commission Fund.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President Pro Tem:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Bill with the Engrossed and Original Bill, respectively, and finds same correctly enrolled, to-wit:

S. 41. To merge the building commission created by Section 365 of Title 55 of the Code of Alabama (1940), the commission to acquire land created by Section 15, of Title 55 of the Code of Alabama (1940), and the Alabama Building Corporation, with the Building Commission created by Act 128, H. B. 129, approved June 16, 1945, (General Acts of Alabama, 1945, page 116).

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS

The President Pro-tem of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following Engrossed Bill with the original bill and finds same correctly engrossed, to-wit:

By Mr. Reneau:

S. 283. To authorize counties to procure funds for erecting court-houses or other necessary public county buildings and to that end from time to time to sell and issue interest bearing warrants, the principal and interest to be payable from the proceeds derived from the collection of the special taxes levied and collected and to be levied and collected under authority of Section 215 of the Constitution of Alabama of 1901 for paying debts created for erecting necessary public buildings, roads or bridges; to provide for the manner of issuance and sale thereof and mode of payment with interest thereon; to provide that such warrants shall be a debt of the county payable from the proceeds derived from the collec-

tion of the aforesaid special taxes, to provide for the creation of a special fund for payment of said warrants with interest thereon; to provide for subsequent issues of said warrants and pledges of said special taxes for the payment thereof; to authorize the pro rata pledge of said special taxes for payment of all warrants in any one authorized issue; to provide for priority of successive pledges of said taxes in the order of different issues of warrants authorized hereunder, but authorizing the governing body in the proceedings for the sale and issue of warrants hereunder to reserve the right to place subsequently issued warrants on a parity with warrants then issued so that all subsequently issued warrants may share pro rata in the pledge or pledges of such special taxes with warrants then issued and with each other; to provide for the exemption of said warrants with interest thereon and income therefrom from taxation in the State of Alabama; and to provide for maturity thereof over a period of years, the time during which said warrants shall mature and the limit of the amount payable in any one year.

J. B. RICHARDSON,  
Chairman.

### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 75. Naming Senate Bill 270 and Senate Bill 271.

And said Resolution was adopted by the Senate.

### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. B. 571. Creating the office of Deputy Circuit Solicitor in the Sixth Judicial Circuit; providing for his appointment, duties and compensation.  
Committee on Finance and Taxation.

By Mr. Skidmore:

S. B. 572. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payments of such additional compensation by Tuscaloosa County.

Committee on Local Legislation.

By Mr. Skidmore:

S. B. 573. To amend Sections 89, 90, 91, 92, and 98 of Title 34 of the 1940 Code, which relate to desertion and nonsupport.

Committee on Judiciary.

By Messrs. Boutwell, Jones, Locke (Choctaw), Todd, Hollis, Benson, Phillips, Fant, Foster, Smith, Locke (Perry), McCary, High, Faulkner, Farmer, Reneau, Andrews, Whatley, Robison, Larkins, Byars and Skidmore:

S. B. 574. To facilitate vehicular traffic in the state by providing for the construction, operation and maintenance of turnpike projects; creating the Alabama Turnpike Authority and defining its powers and duties; authorizing the issuance of turnpike revenue bonds, payable from tolls and other revenues, to pay the cost of such projects; providing that no debt of the state shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls and other revenues for the payment of such bonds and for the cost of maintenance, op-

eration and repair of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; prescribing conditions upon which such projects shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the state to cooperate with the Authority; and authorizing the issuance of turnpike revenue refunding bonds.

Committee on Finance and Taxation.

By Messrs. Locke (Choctaw) and Locke (Perry):

S. B. 575. Relating to the mode of cancelling teachers' contracts; amending Section 357, Title 52, Code of Alabama (1940).

Committee on Education.

By Messrs. Whitley, Todd, Larkins, Thagard, Fant, Locke (Perry), Locke (Choctaw), Byars, Andrews, Skidmore, Phillips, Faulkner, Robison, High, Norrell, Foster, Eddins, Farmer, Reneau, and Johnson (Chambers):

S. B. 576: To provide that persons employed in an administrative or research capacity by the Agricultural Experiment Station of the Alabama Polytechnic Institute may become members of the Teachers' Retirement System and shall receive all of the benefits provided for the teachers under the provisions of Chapter 14 of Title 52, Code of Alabama (1940); and to make an appropriation to carry out the provisions of this Act.

Committee on Education.

By Mr. Robison:

S. B. 577. To authorize the governing body of any municipality in the State of Alabama having a population of as many as 78,000 people and not more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

Committee on Local Legislation.

By Mr. Robison:

S. B. 578. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

Committee on Local Legislation.

By Mr. Byars:

S. B. 579. Relating to the expenses of persons traveling in the service of the State; amending Section 154, Title 41, Code of Alabama (1940), as amended by the Act approved August 23, 1949.

Committee on Finance and Taxation.

By Messrs. Jones and Hollis:

S. B. 580. Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and au-



thorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act.

Committee on Public Welfare and Correctional Institutions.

By Mr. Thagard:

S. B. 581. Relating to solicitors; providing for the election of a solicitor of the circuit court for each county; fixing their terms of office, prescribing their duties, and providing for the payment of their compensation; abolishing the offices of deputy circuit solicitor and county solicitor, except in any county which constitutes a separate judicial circuit having two or more judges.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. B. 582. To amend Section 46, Title 8 of the 1940 Code of Alabama.

Committee on Forestry and Conservation.

### REPORTS OF COMMITTEES

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Thagard:

S. 537. To amend "An Act to abolish Bills of Exception in the Circuit Court and courts of like jurisdiction and all other courts of record having a full time Court Reporter and from which appeals lie directly to the Court of Appeals or the Supreme Court of Alabama in cases at law, and to provide for the evidence to be transcribed and made a part of the record and for assignments of error on the record," approved July 12, 1943.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Boutwell (With amendment):

S. 525. To amend Section 283, Title 13, Code of Alabama (1940), which relates to failure of a probate judge, clerk of the circuit court, or register to take, keep and bind newspapers.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Boutwell (With substitute):

S. 518. To amend Section 47 of Title 58 of the 1940 Code of Alabama which relates to the investments of trust funds by fiduciaries.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Thagard:

S. 473. To amend Section 567, Title 52, Code of Alabama, 1940, which relates to the acquisition of title to school lands by adverse possession.

By Mr. High:

S. 483. To empower municipalities and other political subdivisions

to promulgate, administer, and enforce air-port zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Skidmore (with substitute):

S. 340. To regulate the practice of chiropractic; creating a State Board of Chiropractic Examiners and providing for its membership, powers and duties; providing for the licensing of persons practicing chiropractic; and prescribing penalties for violations of the Act.

By Messrs. Locke (Choctaw), Johnson (Chambers) and Locke (Perry) (With substitute):

S. 569. To make it unlawful to make or present for payment any false, fictitious, or fraudulent claim against the State of Alabama or any county thereof, or for the purpose of obtaining the payment of such claim to make any fraudulent statement or representation, or by any other manner or means aid the payment of such fraudulent claim, and to prescribe the penalties for violating this Act.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Locke (Choctaw) and Locke (Perry):

S. 546. Relating to actions or proceedings involving the title to lands; creating certain presumptions as to title upon the payment of taxes for certain periods of years by any person holding under color of title.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with substitute, without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Locke (Choctaw) (With substitute, without recommendation):

S. 404. To provide that either the wife or husband may convey real property owned by either of them without the other joining in the conveyance.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Andrews:

S. 431. To amend Section 257 of Title 13 of the 1940 Code of Alabama, as amended by Act 103 of the 1949 Legislature, which relates to Salaries of Deputy Solicitors.

By Mr. McNider:

H. 610. To provide when standing timber and trees, and cutting rights with respect thereto, shall be chattels and not real property.

By Mr. McNider:

H. 609. To provide for the recordation of conveyances, mortgages and other instruments transferring standing timber and trees, cutting rights with respect thereto, and interests therein; and the effect of such recordation.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Edgar (With amendment):

H. 483. To provide for remitting solicitors' fees in misdemeanor prosecutions wherein the defendant pleads guilty.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Miller:

H. 343. To provide that no charges for dismissal or disciplinary action shall be preferred against any employee in the classified service of the State after the expiration of one year from the date such cause became known to the authority having the power to dismiss or discipline such employee.

By Mr. Miller:

H. 325. To regulate through licensure the business, occupation, or calling of real estate brokers and real estate salesmen: defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling; providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws.

By Messrs. Sellers, Fite (Marion), Merrill, Bassett, Wallace, Kendall, Davis and Belcher:

H. 739. To authorize and make provision for the incorporation in any county in this State of a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating certain buildings designed for use by the county in which the corporation is organized; to provide for the election of its directors and officers; to specify its powers; to authorize it and the county in which it is organized to enter into leases covering the properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building and office facilities for the courts, jail, officers, departments and agencies of the county performing governmental duties to be an essential governmental function of the county and the rentals incurred by the county for such purpose to be a necessary governmental operating expense of the county; to authorize the issuance by such corporation of interest bearing revenue warrants payable solely out of the revenues from the projects with respect to which they are issued; to specify certain provisions of said warrants; to provide that said warrants may be secured by pledge of such revenues, lease and rentals and by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said warrants may be put; to authorize the refunding of said warrants; to provide for remedies in the event of any default; to exempt from taxa-

tion the properties of such corporation and the income from the leases made with respect thereto, said warrants and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the county in said warrants; to specify the period of time after publication of notice of the adoption of the resolution authorizing said warrants within which actions and defenses may be asserted respecting said warrants, pledge and mortgage; to authorize the transfer to such corporation, with or without consideration, by the county of properties owned by the county and which are not necessary for the conduct of the public functions of the county; to provide for the vesting in the county of title to the properties of such corporation upon payment of its warrants; and to provide for dissolution of the corporation.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Russell, Harrison (Shelby), White (Covington), Shelton, Baker, Martin, Dawkins, Morgan (Jefferson), Pflieger and Kendall:

H. 262. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt, and for the public schools.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Boutwell, Phillips, Quarles, Wright, Faulkner and Robison (With substitute):

S. 229. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1952, and September 30, 1953, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind, and for the Teachers' Retirement System.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Boutwell:

S. 257. To repeal Section 2 of Act No. 605, approved October 2, 1947, entitled "An Act to make appropriations to Alabama Polytechnic Institute for constructing, equipping, furnishing, maintaining and operating a farm-machinery building and laboratory, and farm-machinery experimentation and teaching facilities".

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Quarles and Boutwell (With substitute):

S. 89. To amend Section 2 of Act No. 255, H. 313, approved June 24, 1943, entitled "An Act to provide for the disposition and use of the profits, including all tax levied upon the selling prices of all spirituous or vinous liquors, less all cost and expense of collecting said tax, of the Ala-

bama Liquor Stores operated under the Alcoholic Beverage Control Board of Alabama" (Acts, 1943, pp. 226-228).

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hollis:

S. 560. To provide an additional appropriation to the Department of Conservation, Division of State Lands.

By Mr. Skidmore:

S. 536. To make an appropriation to the Alabama Alcoholic Beverage Control Board for the operation of the Beer Tax and License Division.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Faulkner (With substitute):

S. 261. To make an annual appropriation to provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the Teachers' Retirement System, September 1, 1941, and who is not and never has been eligible for membership in the Teachers' Retirement System, and to provide a supplement to the retirement benefits of certain teachers who are now or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended by Act 637, General Acts 1947, p. 486; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund appropriated by this act.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Skidmore and Boutwell:

S. 475. To amend Section 847, Title 51, Code of Alabama 1940, relating to the remittance of moneys and certification of lists of licenses issued by judge of probate.

By Messrs. Harrison (Shelby), Russell and Wallace:

H. 635. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for under-graduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics and agriculture.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pinson, Jones, Hollis, Faulkner, Benson, Andrews, Larkins, Golson, Farmer, Reneau, Locke (Choctaw), McCary, Sollie, Foster, Johnson (Chambers), Locke (Perry), Skidmore, High, Fant, Norrell, Smith, Phillips, Whatley, Wright and Todd (With amendment):

S. 534. To make an appropriation to the State Superintendent of

Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics, agriculture, and medical technology.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Skidmore and Boutwell:

S. 474. To amend Section 712, Title 51, Code of Alabama 1940, as amended by Act No. 68, General Acts 1945, page 64, relating to the remittance of moneys and certification of lists of motor vehicles by judge of probate.

By Mr. Whatley:

S. 531. To provide for the method of expending the appropriation made by subsection (19) of Section V in Senate Bill No. 228.

By Mr. Johnston (Mobile):

S. 533. To provide for the creation of a Commisison on Uniform State Laws, the appointment of Commissioners thereto, and making an appropriation for the same.

By Messrs. Locke (Choctaw), Locke (Perry), Eddins and Faulkner:

S. 566. Exempting from ad valorem taxation all non-producing interests upon oil, gas and other minerals, as herein defined, and also non-producing severed mineral and royalty interests therein, hereinafter created or transferred or hereafter registered, and also levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interests in non-producing oil, gas or other minerals, as herein defined.

By Mr. Locke (Choctaw):

S. 559. Relating to the assessment of taxes; amending Sections 39, 40, 41, 42, and 43 of Title 51, Code of Alabama (1940).

By Mr. Robison:

S. 512. To amend Section 187 of Title 13, Code of Alabama of 1940 as amended.

By Mr. Meeks:

H. 231. To provide a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee; and to provide a supplement to the retirement benefits of certain state employees who are now or will be retired by the Board of Trustees of the Employees' Retirement System under provisions of Act 515, approved July 9, 1945; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund from which said assistance payments shall be made; and to repeal act number 607 approved October 9, 1947 which provides a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945.

By Messrs. Adams (Tallapoosa), Johnson, Ward, Brown, Smith, Morgan (Jefferson), Kendall, White (Covington), McClendon, Weathers, Scruggs, Thomas, Bush, Shelton, Solomon, Butler, Sellers and Hall:

H. 283. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

By Messrs. Adams (Jefferson), Morgan (Jefferson), Beatty, Huey, Dumas, Meeks, Shelton, Bamburg, Kaul, Morgan (Tuscaloosa), McCoy, Adams (Dale), Simpson, Roberson, White (Covington), Kendall, Adams (Tallapoosa), Wallace, Coburn, Miller, White (Cullman), Martin and Wilson:

H. 272. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

By Messrs. Wallace and Meeks:

H. 608. To amend Sections 1 and 2 of Act No. 47, H. 29, approved May 24, 1951, entitled "An Act to provide educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans."

By Mr. Summerlin:

H. 177. For the relief of Robert F. Free and to appropriate for the said Robert F. Free the sum of \$2500.00 to compensate him for severe and permanent injuries and the loss of use of a leg and expenses incident thereto, sustained by him while in the employ of the State Highway Department.

By Messrs. Hall and Adams (Dale):

H. 569. To exempt from taxation the recordation of all mortgages, deeds of trust, and other instruments of like character executed to secure loans made by any corporation or association authorized by Subchapter IV of Chapter 7, Title 12, United States Code Annotated, to make loans to its members for general agricultural purposes.

By Mr. Pfleger:

H. 573. To amend Section 457, Title 51, Code of Alabama (1940), which relates to privilege license taxes on persons engaged in the business of selling or installing air-conditioning plants and equipment.

By Messrs. Fite (Walker) and Oden:

H. 271. To make an appropriation for the support of the Council of State Governments.

Mr. Sollie, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Sollie (with amendment):

S. 72. Declaring that State and National Banks (as defined in this Act) because of their possible liability to depositors for turning down checks, are entitled to relief under the garnishment laws of this State; and to provide that State and National Banks, when made Garnishees in Garnishment Proceeding, shall not be required to answer the writ of garnishment otherwise than "not indebted" with respect to any person having a checking deposit account in said bank unless the name of such depositor appears on the books of the bank exactly in the name by which the defendant is designated in the writ of garnishment; and to provide that no such state or national bank shall be liable as garnishee or otherwise to any plaintiff in garnishment who shall have had or caused a writ of garnishment to be served on said bank as garnishee for having paid any moneys out of, or for having honored checks drawn upon, the account of any depositor of a checking account, except with respect to a depositor who is the defendant in garnishment and whose name appears on the books of the Bank in exactly the same manner as the name of the defendant in garnishment is set forth in the writ of garnishment, and to provide that no writ of garnishment against such a bank shall be valid or enforceable, with respect to the checking account of any depositor in such bank, unless the name of such depositor appears on the books of such bank in exactly the same manner as the name of

the defendant appears in the writ of garnishment; and to provide that in the event such a bank shall have more than one checking account depositor whose names appear on the books of the bank in exactly the same manner as the name of the defendant is set forth in any writ of garnishment such bank shall not be liable to any such depositor for failing or refusing to pay his checks drawn on any such account during such period of time following the service of the writ which will enable the bank to make a reasonable examination of the facts to determine whether the defendant in garnishment is the same person as any such depositor; and to define "checking deposit Account" and "State and National Banks."

Mr. Sollie, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate without recommendation and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Sollie (without recommendation):

S. 490. To amend Section 86 of Title 39 of the Code of Alabama (1940) which relates to presentment of negotiable paper and to the payment, certification or acceptance thereof.

By Mr. Sollie (without recommendation):

S. 488. To provide that any bank or trust company and any national banking association, and any branch or branches of any of them transacting business in this State may close on any one business day of each week, even though a legal holiday shall also occur in any such week, and to provide that any day which such institution may elect to close shall, with respect to such institution, be deemed a holiday for all purposes and not a business day, and that all acts omitted or done by such bank or trust company and/or national banking association and/or branches of any of them on such day shall have the same effect as if omitted or done on the next succeeding business day, and that any act authorized, required or permitted to be performed at or with respect to any such Bank or trust company and/or national banking association or any branch or branches of any of them on the day so fixed may be performed on the next succeeding business day and no liability or loss of rights of any kind shall result from such delay to any person, or to any bank, trust company, national banking association, or any branch or branches of any of them.

By Mr. Sollie (without recommendation):

S. 489. To amend Section 184 of Title 39 of the Code of Alabama (1940) which relates to legal holidays, and the due dates of commercial paper, and the time of doing of acts with respect to commercial paper.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. High:

S. 527. To provide additional duties for the judge of county courts, and additional duties for the constable of county courts, where such county courts have been created by the Legislature of Alabama in all counties in Alabama having a population of not less than eighty thousand inhabitants and not more than ninety four thousand inhabitants, according to the preliminary count of the 1950 Federal census or any subsequent Federal census; and to provide compensation or salary for the additional duties to be performed by said judge; and to provide compensation or pay for the additional duties to be performed by the constable of said court and to compensate or pay said constable for services rendered for attendance upon said court since the first Monday after



the second Tuesday in January, 1949, and to regulate or provide for the issuance of executions by the clerk of said courts.

By Mr. Skidmore (with notice and proof):

S. 528. Relating to Tuscaloosa County: Authorizing and requiring the governing body of Tuscaloosa County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall, subject to the county civil service system, select, fix the compensation of, and have the right to discharge their respective clerks, deputies and assistants; providing that the maximum amount of the combined salaries of clerks, deputies and assistants in each of such offices shall be determined by the county governing body; and providing that the salaries and compensation provided under the provisions hereof shall be in lieu of all other compensation.

By Mr. High:

S. 540. Relating to county courts in counties having populations of not less than 80,000 nor more than 94,000 inhabitants; imposing extra, new, and additional duties upon the constables of such courts and providing them additional compensation for their performance thereof.

By Mr. High:

S. 541. To impose new and additional duties on the solicitor of the Sixteenth Judicial Circuit; to provide him additional compensation for the performance of such duties and provide for the method of paying such compensation.

By Mr. High:

S. 542. Relating to counties having populations of not less than 80,000 nor more than 94,000 inhabitants; providing for the furnishing of equipment, supplies, clerks, deputies and other assistants for certain county officers in such counties.

By Mr. High:

S. 543. To amend Section 2 of Act No. 436, H. 852, approved September 25, 1947 (General Acts of Alabama, 1947, page 316), which provides for a chief clerk for the circuit solicitor in all judicial circuits composed of only two counties, one of which counties is divided into two judicial divisions, and having only two judges.

By Mr. High:

S. 544. Relating to county courts in counties having a population of not less than 80,000 nor more than 94,000 inhabitants; imposing extra, new, and additional duties upon the judges of such courts, and providing additional compensation for the performance thereof.

By Mr. High:

S. 548. Relating to counties having populations of not less than 80,000 nor more than 94,000 inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a division of any such county into forest protection districts, imposing extra, new, and additional duties upon the president or chairman and members of the county governing body with respect to such districts, and providing additional compensation for the performance of such additional duties.

By Mr. Wright:

S. 549. Relating to the office of circuit clerk of any county having a population of not less than 63,750 nor more than 72,500 inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the United States; fixing the salary of the circuit clerk and providing for his clerical assistance, supplies, and office space.

By Mr. Wright:

S. 550. Relating to counties having populations of not less than 63,750 nor more than 72,500 inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the United States; fixing the compensation of the Sheriff of any such county.

By Mr. Richardson (with notice and proof):

S. 551. Authorizing and directing the governing body of Lawrence County to make an appropriation for the relief of W. K. Cartee.

By Mr. Richardson (with notice and proof):

S. 552. To amend Act No. 84 of Local Acts of 1947 page 60, entitled "An Act to allow the Sheriff of Lawrence County, Alabama, an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments" to provide that the additional deputy sheriff provided for by said Act shall receive a salary of not less than \$1800.00 nor more than \$2400.00 per annum, to be paid in twelve equal monthly installments out of the General Funds of Lawrence County, Alabama.

By Mr. Locke (Choctaw) (with notice and proof):

S. 553. To authorize the governing body of Washington County, Alabama to provide from the county general fund for payment of, and to fix the salary of an additional deputy sheriff, to be appointed by the sheriff, for Washington County, Alabama.

By Mr. McCary:

S. 554. Relating to the circuit solicitor of judicial circuits having two judges and being composed of only two counties, one of which has a population of not less than seventy-three thousand one hundred nor more than ninety-three thousand five hundred; providing him with a chief clerk; prescribing the duties, powers, functions, compensation and method of selection of such clerk; and providing for a travel allowance for such solicitor.

By Mr. Foster:

S. 556. Relating to counties having a population of not less than sixty-four thousand nor more than seventy-nine thousand inhabitants; to fix the compensation of the coroner.

By Mr. Larkins:

S. 568. Relating to counties which have populations of not less than 30,000 nor more than 40,000 inhabitants, according to the 1950 or any subsequent decennial census of the United States, and two courthouses; providing for the appointment of a deputy sheriff in addition to the chief deputy in the office of the sheriff, and to provide for the payment of his compensation.

By Mr. Skidmore:

S. 570. Relating to cities having a population of not less than 35,000 nor more than 55,000 inhabitants; authorizing such cities to levy and collect privilege license taxes on the sale of malt or brewed beverages within their police jurisdiction at the same rate as such taxes are levied within their corporate limits.

By Messrs. Hawkins (Etowah), Morgan (Tuscaloosa), Thomason and Tumlin:

H. 139. To authorize the county governing bodies of all counties having a population of not less than 75,000 nor more than 135,000 inhabitants according to the last or any future regular decennial Federal Census to provide for the use of paper ballots or ballot boxes as well as voting machines at voting places in the county where voting machines are used, at any primary, municipal or general election.

By Mr. Hawkins (DeKalb) (with notice and proof):

H. 445. To require extra, new and additional duties of the Clerk of the Circuit Court of DeKalb County, Alabama; and to provide extra compensation for the performance of such duties.

By Mr. Denton (with notice and proof):

H. 584. Relating to Blount County: To provide for the nomination and election of members of the Board of Education of Blount County, Alabama.

By Mr. Hawkins (DeKalb) (with notice and proof):

H. 590. To impose additional duties upon the chairman and associate members of the Board of Revenue of DeKalb County, Alabama, and providing additional compensation therefor.

By Mr. White (Cullman) (with notice and proof):

H. 670. To create and establish a Board of Commissioners and Control of Cullman County, Alabama, in place of the present Board of Revenue and Road and Bridge Commissioner now existing in Cullman County, to consist of four members, and a Chairman of said Board, and one member to be from each of the four districts of the County; to abolish the Board of Revenue of Cullman County; to abolish the Road and Bridge Commissioner of Cullman County; to divide said County into four districts and to define the boundaries of each district; to fix the term of office, compensation, and duties of each, and to provide for the qualifications and election of such members and their successors from each of four districts, and the qualifications and election of the Chairman, and the election of his successor, and to fix his term of office; to provide the time and place of holding regular meetings of said Board; to confer upon said Board all the authority, jurisdiction and power granted to the Board of Revenue established and created by an Act of the Legislature of Alabama that became law on September 14, 1939, under Section 125 of the Constitution, Local Acts 1939, page 244; to confer upon said Chairman and Board respectively all the authority, jurisdiction and power granted to the Road and Bridge Commissioner of Cullman County, Alabama, by Act of the Legislature of Alabama approved February 15, 1939, Local Acts of 1939, page 13; to constitute each member of the Board District Supervisor for all public roads within his district; to provide that the Chairman fix a wage and salary scale for all employees engaged in work on the public roads of the County and to require that the same be uniform throughout the County; to provide that all supplies, material and equipment for the County and offices and officers of the County, and the Courthouse and jail, and other buildings, be purchased by the Chairman of the Board on order of the Board made at regular meetings of the Board on Monday after posting a purchase notice on the bulletin Board situated by the door of his office in the Courthouse requesting bids therefor, and requiring the Chairman to accept the lowest responsible bid and prescribing the procedure to be observed in making purchases and the records thereof to be made; to provide that Cullman County shall not be liable in any form on account for the price, value, or use of any property not purchased as provided for in this Act; to authorize the Chairman to make contracts for the purchase of gasoline, fuel oil, motor oil, cylinder oil, tires and tubes, machinery and equipment used in connection with the construction and maintenance of public roads and bridges in Cullman County, or either of them, and provide the manner of making of such contracts; to authorize each member of the Board in emergencies and in cases where work on the roads within his district would be otherwise unduly delayed to purchase for the county needed equipment and materials at a cost not to exceed Fifty (\$50.00) Dollars, and to provide the method of making such purchases and to require that all claims against the County for the same state the Number of the district for which such property was sold, and the number of the purchase order pertaining thereto; to authorize each member of the Board, with the approval of the Chairman, to have repairs made to machinery

and equipment used on the public roads within his district and to prescribe the manner in which said repair order shall be made for such repairs; to provide for the upkeep and repair of the Courthouse and jail and equipment and fixtures therein; to provide for the keeping of records by the Chairman and provide for clerical and stenographic assistance to the Chairman and to limit the cost thereof; to provide for the purchase by the Chairman of certain materials and equipment for his office, and provide the hours during which his office shall be open; to provide for official bonds to be given by the Members and Chairman of the Board to be approved by the Probate Judge; to provide a method for filling vacancies in the office of members of the Board and Chairman of the Board; to provide that one-half of the compensation of the Members and Chairman of the Board and stenographic and clerical assistance to the Chairman be paid out of the General Fund of the County, and one-half from the road and bridge funds of said county; to define what funds shall constitute the Road and Bridge funds of Cullman County, Alabama, and to provide that the Chairman shall be the custodian of said fund; to provide that all claims against the County in connection with the construction and maintenance of public roads and bridges of Cullman County, Alabama, be paid out of said fund upon warrants drawn by the Chairman; to prescribe the duties and responsibilities of the Members of the Board on the one hand and the Chairman of the Board on the other hand, respectively, to the establishment, construction and maintenance of the public roads of Cullman County; to repeal all laws in conflict with this Act, and to expressly repeal an Act of the Legislature of Alabama, approved February 15, 1939, Local Acts 1939, page 13, and a Local Act of the Legislature of Alabama, which became law September 14, 1939, under Section 125 of the Constitution, Local Acts 1939, page 244, and to fix the effective date of this Act and the effective date of the repeal of said Local Acts.

By Messrs. Dumas, Adams (Jefferson), Meeks, Beatty, Huey and Morgan (Jefferson) (with notice and proof):

H. 769. To alter and rearrange the corporate limits of the City of Birmingham so as to include therein part of the territory located in Section 11, Township 17, Range 3, West in Jefferson County.

By Messrs. McNider and Mathews (with notice and proof):

H. 781. Relating to Clarke County; providing for the election of the members and chairman of the county board of education, with the members to be elected by districts and the chairman to be elected at large.

By Messrs. Wilkins, Adams (Jefferson), Beatty, Morgan (Jefferson), Dumas, Gallalee and Pfleger:

H. 793. To repeal Chapter 12, Title 12, Code of Alabama, 1940, which relates to civil service systems in counties having a population of two hundred thousand inhabitants or more according to the 1930 federal census and certain municipalities therein.

By Mr. Langdon (with notice and proof):

H. 799. Relating to Pickens County; dividing the county into forest protection districts; imposing certain duties upon the members of the Court of County Commissioners of said county with respect to such districts, and fixing their compensation for the performance of such an ex-officio duties.

By Messrs. Huey, Meeks, Dumas, Adams (Jefferson), Beatty and Morgan (Jefferson):

H. 816. To authorize the Tax Collector of Counties having a population of 400,000 or more, according to the last or any subsequent Federal Census, to send notices of the amount of tax due through the United States Mail, and to authorize the payment of the cost of postage thereof by the County Commission.

By Mr. Edgar (with notice and proof):

H. 819. Relating to Choctaw County; providing for the election of the members of the County Board of Education.

By Mr. Brannan:

H. 824. Relating to Baldwin County: proposing an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts in Baldwin County, and the fees, commissions, percentages, allowances and salary of, and the method of compensating any officer of Baldwin County; and ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

The above bill was read a second time at length as required by the Constitution.

By Mr. Brannan (with notice and proof):

H. 825. Relating to Baldwin County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

By Mr. Fite (Marion) (with notice and proof):

H. 832. Relating to Marion County: To amend Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

By Mr. Fite (Marion) (with notice and proof):

H. 833. Relating to Marion County: To prohibit any mayor or recorder from assuming or exercising any jurisdiction whatsoever in any criminal prosecution for an act or offense committed outside the police jurisdiction of the municipality for which such mayor or recorder was elected or appointed, and providing that the municipality shall be liable for a penalty at the suit of any person so prosecuted.

By Mr. Fite (Marion) (with notice and proof):

H. 834. Relating to Marion County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

By Mr. Fite (Marion) (with notice and proof):

H. 835. To alter and re-arrange the boundaries of the Town of Guin, Alabama.

By Mr. Fite (Marion) (with notice and proof):

H. 836. Relating to Marion County: To prohibit any justice of the peace or notary with powers of a justice of the peace from assuming or exercising jurisdiction in any criminal prosecution for an act committed outside the boundaries of the beat or precinct for which such justice or notary was elected or appointed, and making a violation of this Act a misdemeanor.

By Mr. Dodd:

H. 839. To propose and provide for the submission of an amendment to the constitution of Alabama, to empower and authorize The City of Haleyville, Alabama, a municipal corporation in Winston County to acquire and dispose of all kinds of property, to promote the development of the City of Haleyville, Alabama, a municipal corporation in Winston County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to the City of Haleyville, Alabama, a municipal corporation.

The above bill was read a second time at length as required by the Constitution.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Thomason (with notice and proof) (with substitute):

H. 615. To define, regulate and license barbers and barber colleges, and other like businesses within the incorporated municipalities in Calhoun County, Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Scruggs and Hawkins (DeKalb) (with amendment):

H. 630. To fix the salary of County Superintendents of Education in all counties of the State of Alabama having a population of not less than 45,075 and not more than 46,550 according to the 1950 Federal Census, or any subsequent Federal census, and to provide when this Act shall take effect.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Coburn (with notice and proof):

H. 831. Relating to Colbert County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

By Messrs. Eslick and Reynolds (Madison) (with notice and proof):

H. 841. Relating to Madison County: To transfer all jurisdiction of juvenile cases from the Juvenile Court of Madison County to the Inferior Court of Huntsville.

By Messrs. Eslick and Reynolds (Madison) (with notice and proof):

H. 843. Relating to Madison County: To change the method of compensating the Sheriff of Madison County, placing him on a salary, and providing for his assistants, office space, and equipment.

By Messrs. Hall, Dawkins, Tennille and Sellers:

H. 857. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the latest federal decennial census, or which shall hereafter have such population according to any such census that may hereafter be taken, to make appropriations and expand out of their revenues an amount not in excess of two hundred dollars (\$200) per year to aid in the care of, or care for, infirmed sick persons within the corporate limits and police jurisdiction of such cities who are unable to provide and care for themselves.

By Messrs. Hall, Dawkins, Tennille and Sellers:

H. 858. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

By Messrs. Hall, Dawkins, Tennille and Sellers:

H. 859. Relating to all cities in the State of Alabama having a population of not less than 78,000 people nor more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

By Messrs. Hall, Dawkins, Tennille and Sellers:

H. 860. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 78,000 and not more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census, the employees of any water works board, or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the

time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

By Messrs. Hall, Dawkins, Tennille and Sellers:

H. 861. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the



assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of any employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

By Messrs. Wilkins, Gallalee and Pfleger (with notice and proof):

H. 862. To amend Section 78 of Title 62 of the Code of Alabama of 1940 relating to the holding of inquests by the Coroner of Mobile County, Alabama, and the summoning of a physician or surgeon by the Coroner to perform an autopsy.

By Messrs. Dumas, Morgan (Jefferson), Beatty, Kaul, Huey, Adams (Jefferson) and Meeks (with notice and proof):

H. 866. For the relief of Mrs. Bessie Huey out of the general fund of Jefferson County, Alabama.

By Messrs. Dumas, Morgan (Jefferson), Beatty, Kaul, Huey and Adams (Jefferson) (with notice and proof):

H. 867. For the relief of H. D. VanNornum and Selina VanNornum, in the sum of One Thousand Six Hundred Twenty-five (\$1,625.00) Dollars, in that on, to-wit, December 15, 1949, a duly authorized agent, servant, or employee of Jefferson County, Alabama, Charles A. Johnson, negligently drove a truck into an automobile in which H. D. VanNornum and Selina VanNornum were riding, painfully injuring them and causing extensive property damage, in Jefferson County, Alabama, near Homewood.

By Messrs. Dumas, Morgan (Jefferson), Beatty, Kaul, Huey, Adams (Jefferson) and Meeks (with notice and proof):

H. 868. To further define the powers and duties of the County Commission or other governing body of Jefferson County, Alabama, by whatever name said governing body may now or hereafter be called.

By Messrs. Dumas, Beatty, Meeks, Morgan (Jefferson), Adams (Jefferson) and Huey:

H. 869. To amend Section 81 of Title 11, of the Code of Alabama of 1940.

By Mr. Malone (Limestone) (with notice and proof):

H. 876. Relating to Limestone County; amending Section 2 of the Act approved July 27, 1931 (Act No. 541, S. 578, Local Acts, 1931, p. 258) entitled "An Act to create and establish a Board of Revenue in and for Limestone County, Alabama, to be composed of five members, one of whom shall be chairman of said board; to fix the qualifications of the chairman and the members of said board; to provide where the chairman and members of said board shall reside during their term of office; to

abolish the Court of County Commissioners of said County; to divide said County into four districts and to define the boundaries of each of said districts; to designate, declare and appoint a member from each of said districts and to define the term of office of each of said members of the Board of Revenue so designated, declared and appointed; to provide for the appointment of the chairman of said board and to fix the term of his office under said appointment; to provide for the filling of vacancies in said board; to provide for the nomination of the chairman and each member of said board; to provide for the election of the chairman of the said board and the members designated, declared and appointed by this Act at the expiration of their respective terms of office; to define the power and jurisdiction of the said board; to fix the compensation of the chairman and members of said board; to confer upon the said board all the jurisdiction, power and authority granted by law to Courts of County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; to repeal all laws in conflict with this Act."

By Mr. Coburn (with notice and proof):

H. 905. To amend Section 2 of Act No. 485 adopted at the 1949 Regular Session of the Legislature of Alabama approved August 30, 1949 (Acts of Alabama of 1949, Regular Session, Page 704), which levied a Sales and Use Tax in Colbert County, so as to change the rate of the Use Tax levied thereby.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Eslick and Reynolds (Madison) (with notice and proof) (with amendment):

H. 842. Relating to Madison County: To change the method of compensating the Probate Judge, providing him with assistants, office space and equipment.

By Messrs. Givhan, Molette and Hardy (with amendment):

H. 705. To authorize and empower Boards of Revenue, Commissioners Courts or like governing bodies, in counties having a population of not less than 50,000 nor more than 60,000 inhabitants according to the 1940 Federal Census, to appoint a County Treasurer, to fix his duties, ex-officio services, compensation and method of payment.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Denton (with notice and proof):

H. 703. Relating to Blount County; creating a court of record, to be known as the Intermediate Court of Blount County; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge thereof and fixing his qualification, term, and compensation, prescribing his authority and duties, and providing for other officers of the court, and fixing the costs to be collected therein; abolishing the Inferior Court of Blount County and the County Court, and revoking certain powers of the probate court and the judge thereof.

By Mr. Todd (with notice and proof):

S. 468. Relating to Franklin County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents

of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

By Messrs. Taylor and Wesley (with notice and proof):

H. 850. To authorize, empower and require the County Board of Education of Butler County, Alabama to pay the costs and expenses of the quadrennial school census of said county, to purchase and procure any and all necessary items and services, to pay all of the expenses in connection with the operation of the office of the County Board of Education, its officers and agents thereof, and to pay for the same from County School Funds.

By Mr. Bush (with notice and proof):

H. 784. To alter and extend the boundaries of the City of Wetumpka, Elmore County, Alabama:

Mr. High, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. White (Cullman), Denton, Brannan, McCoy, Harvey, DeSear, Romine and Simpson (with amendment):

H. 467. To provide for the inspection and grading of fresh fruits and vegetables grown in Alabama; prescribing the standard grade or grades for such fruits and vegetables; providing for the administration of the Act by the Commissioner of Agriculture and Industries and the Department of Agriculture and Industries; and prescribing penalties for violations of the Act.

Mr. High, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clayton:

S. 282. To amend Sections 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328 and 329 of Title 46, Code of Alabama 1940, relating to the practice of veterinary medicine and surgery in Alabama.

By Mr. Todd:

S. 410. Relating to veterinarians; amending Chapter 15, Sections 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328 and 329, Title 46, Code of Alabama of 1940.

Mr. Whatley, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Andrews (with amendment):

S. 515. To provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and

approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts, including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts or mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama:

By Mr. Andrews (With amendment):

S. 436. To authorize each of the municipalities in this state to acquire and equip properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural or manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize municipalities to lease such properties subject to certain specified requirements; to authorize municipalities to finance the acquisition and equipment of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for trust funds and for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof; and to provide that publication of any proceedings hereunder is not required.

Mr. Skidmore, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dawkins:

H. 534. To amend Section 191, Title 26, 1940 Code of Alabama, as

amended, relating to the definition of wages under the State Unemployment Compensation Law.

By Mr. Dawkins:

H. 533. To amend Section 251, Title 26, 1940 Code of Alabama, relating to penalties for violations of the State Unemployment Compensation Law.

By Mr. Dawkins:

H. 532. To amend Section 212 of Title 26, 1940 Code of Alabama as amended, relating to military service benefits.

By Mr. Dawkins:

H. 531. To amend Section 240 of Title 26, 1940 Code of Alabama, as amended, relating to the collection of delinquent unemployment compensation taxes.

By Mr. Dawkins:

H. 535. To amend Section 224, Title 26, 1940 Code of Alabama, as amended, relating to termination of employer's coverage under the State Unemployment Compensation Law.

By Mr. Dawkins:

H. 537. To amend Section 25 of Title 26, 1940 Code, as amended, relating to Divisions of the Department of Industrial Relations.

Mr. Skidmore, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dawkins (With amendment):

H. 536. To amend Section 185, Title 26, 1940 Code of Alabama, as amended, relating to the definition of "Employer" under the Unemployment Compensation Law, and Section 204, Title 26, 1940 Code of Alabama, as amended, relating to Experience Rating under the Unemployment Compensation Law.

Mr. Locke (Choctaw), Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Locke (Choctaw), Locke (Perry), Eddins and Faulkner:

S. 562. Relating to the tax on the production of oil and gas; amending Section 3 of the Act approved May 19, 1945, entitled "An Act to provide for additional revenue by levying a privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters, of the State of Alabama; to require all parties engaged in severing such natural resources to set up, keep, and maintain full and complete records of the severance of such resources; to prescribe the method of collecting and enforcing the payment of such tax; to provide for the distribution of the taxes collected; to provide for penalties and punishment and for restraining orders for the violation of the terms and provisions of this Act; and to exempt such products on producing properties and all leases in production, including mineral rights in producing properties, from ad valorem taxes," (Act No. 2, H. 47, General Acts, 1945, p. 20).

By Messrs. Locke (Choctaw), Locke (Perry), Eddins and Faulkner:

S. 563. Relating to oil and gas leases; providing that the duration of such leases shall be for not longer than ten years from the date of execution thereof.

By Messrs. Locke (Choctaw), Locke (Perry), Eddins and Faulkner:

S. 565. Relating to oil and gas; amending Section 26 of the Act approved May 22, 1945, entitled "An Act to conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama," (Act No. 1, H. 46, General Acts, 1945, p. 1).

By Messrs. Locke (Choctaw), Locke ((Perry), Eddins and Faulkner:

S. 567. To amend Sections 3, 4, 7, 17, 21 and 23 of Act No. 1, H. 46, approved May 22, 1945 (General Acts of Alabama, 1945, page 1), entitled "An Act to conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama."

### RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 55. BE IT RESOLVED BY THE SENATE, That when bills on third readings are reached on the twenty-sixth Legislative Day, the following bills in the order listed, shall be special, paramount and continuing order of business:

All local and General Bills of local application.

S. B. 355	page 36
S. B. 495	page 23
S. B. 492	page 23
S. B. 497	page 21
S. B. 177	page 8
S. B. 175	page 10
S. B. 494	page 22
S. B. 21	page 12
S. B. 420	page 9
S. B. 476	page 18
S. B. 438	page 8
S. B. 357	page 4
S. B. 360	page 3

Which was adopted.

Yeas 31; Nays 2.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Robison
Andrews	Farmer	McCary	Skidmore
Benson	Faulkner	Norrell	Smith
Bonner	Foster	Phillips	Sollie
Boutwell	Golson	Pinson	Thagard
Byars	High	Quarles	Todd
Clayton	Hollis	Reneau	Whately
Eddins	Larkins	Richardson	Wright

Nays: Messrs.: Jones and Locke (Perry)

—2

### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Joint Resolution and ordered same returned to the Senate with a favorable report, with amendments; to-wit:

H. J. R. 32. Memorializing the United States Congress to enact legislation requiring persons, firms, and corporations engaged in interstate commerce to report their sales made in interstate commerce to the Revenue Departments of the States affected in order that such States will be able to prevent tax evasions by taxpayers within their jurisdictions.

The Rules Committee reported the following amendment to the Resolution, to-wit:

Committee Amendment to H. J. R. 32

Amend H. J. R. 32 by inserting the word "Wholesale" immediately preceding the word "sales" on line 4 thereof.

Which was adopted.

And said Resolution, as thus amended, was then adopted by the Senate.

### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 49. Requesting Supreme Court opinion relative to constitutionality of S. B. 413.

On motion of Mr. Andrews further consideration of the Resolution was indefinitely postponed by the Senate.

Yeas 25; Nays 9.

Yeas:

Messrs.:	Fant	Jones	Pinson
Andrews	Farmer	Larkins	Quarles
Benson	Faulkner	Locke (Choctaw)	Smith
Bonner	Foster	Locke (Perry)	Sollie
Byars	Golson	Norrell	Thagard
Clayton	High	Phillips	Todd
Eddins	Johnson (Chambers)		

—25

Nays:

Messrs.:	McCary	Robison	Whatley
Boutwell	Reneau	Skidmore	Wright
Hollis	Richardson		

—9

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 708. Authorizing, empowering and directing the Judge of Probate of Marshall County, Alabama, to record all minutes, judgments, orders and decrees of the Probate Court or decrees made and entered by the

Probate Court in the Book of Final Records of said Court instead of having them recorded in the Minutes in said Court separate and apart from the Final Record and provides when this Act shall become effective.

Also:

H. 709. To establish the County Court of Marshall County, Alabama; to create and define its jurisdiction; to provide its officers, their powers, duties, qualifications and compensations, and manners of payment to them; to regulate the compensation of witnesses in said Court; to fix the terms of said Court, and the place of holding the same; to provide for the transfer of all misdemeanors now pending in the County Court of Marshall County which Court is abolished, as now constituted, into this Court for trial and provide for the transfer of all juvenile cases now pending in the Probate Court of Marshall County, Alabama, and of all domestic relations cases brought under the provisions of Article 3 of Chapter 4 of Title 34 of the Code of Alabama of 1940 from the Probate Court into this Court; to abolish criminal jurisdiction of Justices of the Peace; to regulate payment of fees of officers, and witnesses in said Court to prescribe rules, regulating the procedure, pleading and practice in said Court; to provide for payment of fines and forfeitures paid into said Court into the County Treasury of Marshall County; to provide for the taxing and collecting of County Court cost and fees; to provide for registration of certificates of judgments from said Court; to make the provisions of Chapters 6, 10, 11, 12, 20, 27 and 35 of Title 7 of the Code of Alabama of 1940, as amended, applicable to said Court; to provide for the transfer of cases from said Court to the Circuit Court in case the Presiding Judge in said Court is incompetent to try the same; to give the Court jurisdiction of offenses under Chapter 7 of Title 13 of the Code of Alabama 1940, and Article 3 of Chapter 4 of Title 34 of said Code; to provide for appeals from said Court; to provide for taxing and collecting solicitor's fees in said Court and provide for their payment into the County Treasury; and provide for appeals from Justice Courts in civil cases in Marshall County to said Court; to provide for appeals from said Court to the Circuit Court and prescribing rules and regulations governing said appeals; to provide that the Judge of said Court shall have authority to make examination of preliminary proceedings as provided in Chapter 6 of Title 15 of the Code of Alabama of 1940; to regulate the practice of law by the Judge of said Court; to provide for acquisition of books, equipment and supplies for the operation of said Court and its offices; to provide that should any Section or part of a Section of this Act be declared unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the remaining Sections or parts of Sections of this Act; and to provide that this Act shall go into effect immediately upon its approval.

Also:

H. 710. To abolish the Office of the Deputy or County Solicitor of Marshall County Alabama, and to provide that all of the duties, powers and authorities now held by said Deputy or County Solicitor be and the same are hereby conferred upon the Circuit Solicitor of the Judicial Circuit composed of Marshall County, Alabama, and to provide that said Circuit Solicitor shall perform all of said duties without additional compensation and provide when this Act shall become effective.

Also:

H. 150. To provide for the issuance of special license tags to owners of private or pleasure motor vehicles who hold valid amateur radio station license issued by the Federal Communications Commission, upon which, in lieu of the numbers as prescribed by law, shall be inscribed the official Amateur Radio Station call letters of such owner, and to provide for the payment of an additional fee of \$1.00 by each Amateur Radio Operator issued a special license tag as herein provided for.



Also:

H. 327. Relating to the plat books of tax assessors; amending Sections 66, 67, and 68, Title 51, Code of Alabama (1940), as amended.

Also:

H. 672. Relating to Cullman County to authorize the Board of Registrars of Cullman County to meet and be in session for sixty days for purging the registration list, and to provide compensation therefor to provide for clerk and other incidental expenses.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 54. Relating to the naming of Senate Bill 166.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 51. To amend Section 88 of Title 36 of the Code of Alabama (1940), as amended, which relates to fines and forfeitures for violations of the laws relating to motor vehicles.

Also:

H. 60. To impose extra, new, and additional duties upon the Chief Examiner of Public Accounts; to provide additional compensation for the performance of the extra, new, and additional duties imposed upon him; and to provide for the payment of additional compensation for the performance of such duties.

Also:

H. 523. Authorizing and directing the State Military Department to make a payment for the relief of Mr. and Mrs. Ralph Coleman Griffin, Sr.

Also:

H. 744. Relating to prisons and prisoners; amending Section 22 of Title 45, Code of Alabama (1940); providing for the arrest of escaped convicts

Also:

H. 746. Relating to prisons and prisoners; making it a felony for any convict or prisoner wilfully or maliciously to injure or destroy any building or property belonging to the State of value in excess of twenty-five dollars and prescribing the penalty therefor.

Also:

H. 747. Relating to prisons and prisoners; making it a felony for three or more convicts or prisoners to do an unlawful act upon a common cause, or make advances together toward the commission thereof, and prescribing the penalty therefor.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama State Docks Board.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 3, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Alabama State Docks Board, created by Act No. 189, Regular Session of 1951, approved July 2, 1951:

Leslie Dee, Tuscaloosa, For a term of two years, said term expiring August 1, 1953.

Alto V. Lee, III, Dothan, For a term of four years, said term expiring August 1, 1955.

Ernest H. Woods, Birmingham, For a term of six years, said term expiring August 1, 1957.

James G. Pruett, Jr., Montgomery, For a term of eight years, said term expiring August 1, 1959.

Leonard Hardy, Mobile, For a term of ten years, said term expiring August 1, 1961.

Respectfully,  
GORDON PERSONS,  
Governor.

## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, containing the appointment of members of Alabama State Docks Board, was read and referred to the Standing Committee on Rules.

## RESOLUTIONS

Mr. Andrews offered the following Senate Joint Resolution, to-wit:

S. J. R. 56. BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, that

WHEREAS, the 31st Division, better known as the Dixie Division, was composed wholly of National Guard Units from the States of Alabama and Mississippi when said Division was inducted into the Federal service, and

WHEREAS, the 31st Division, as it is now composed, has served with distinction as a unit during two (2) world conflicts, and

WHEREAS, it has been brought to the attention of the Legislature of Alabama that there is now a movement on the part of the Federal Government to disintegrate the 31st Division so as to assign part, if not all, of the National Guard Units of the State of Alabama and Mississippi to other divisions, and

WHEREAS, it is the considered judgment of both Houses of the Legislature of the State of Alabama that the 31st Division can better serve the country and be of greater aid to the security and national defense of the United States if said Division is left intact.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of the State of Alabama strongly urges and recommends to the United States Congress that it take such steps as may be necessary to preserve the 31st Division as a unit composed of the National Guard of the States of Alabama and Mississippi, to the end that the 31st Division may continue to reflect glory upon itself and do honor to the section of the country from which it comes.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to each Alabama Congressman, to the two (2) Alabama Senators, and also a copy of this resolution be sent to the Clerk of the House of Representatives and the President of the Senate of the United States, with the request that it be read in both Chambers.

And the Rules were suspended and the Resolution adopted by the Senate.

Mr. Wright offered the following Senate Joint Resolution, to-wit:

S. J. R. 57. Be it resolved by the Senate, the House of Representatives Concurring, That S. B. 166 which has passed both Houses be designated and known as "The Wright, Boutwell, Farmer, Richardson, Miller, Dawkins, Russell, Harrison (Shelby), Summerlin Bill."

And the Rules were suspended and the Resolution adopted by the Senate.

Messrs. Thagard and Sollie offered the following Senate Resolution, to-wit:

S. R. No. 58. Be it resolved by the Senate of Alabama, that the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama, or a majority of them, are hereby respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in connection with S. B. 463,

H. B. 831 and H. B. 834, which bills now pending in the Legislature of Alabama relate to different counties but are otherwise identical:

1. Would Section 5 of the proposed local laws make any irrevocable or exclusive grant of special privileges or immunities in violation of Section 22 of the Constitution?

2. Do the titles of the proposed local laws clearly and sufficiently express the objectives of such bills as required by the provisions of Section 45 of the Constitution?

3. Do the provisions authorizing any municipal corporation in Franklin, Colbert, and Marion counties, respectively, to establish, purchase construct, maintain and operate a telephone system and to furnish telephone service to residents of territories beyond the corporate limits and police jurisdiction of any such municipal corporation violate the provisions of Section 94 of the Constitution?

4. Do the provisions of such bills authorizing a municipal corporation to construct, lease, purchase or otherwise acquire telephone lines for the furnishing of telephone from any point in this state or any other state to the residents of such municipal corporation and surrounding territory contravene the provisions of Section 94 of the Constitution or any other section thereof?

5. Would the mortgage bonds authorized to be issued by such proposed laws be general obligations of the municipalities concerned and thus be subject to the limitations imposed by Sections 225 and 226 of the Constitution?

6. Would the provisions of the proposed laws vesting in a purchaser of a municipal telephone system at a mortgage foreclosure sale the same privileges and immunities as are granted to the municipality under the bills directly or indirectly contravene Section 22 of the Constitution.

7. Do the provisions of the bills, including Sections 2 and 3, authorizing a municipality to operate a telephone system, which is not a governmental function, in another state, come within the protection of the privileges and immunities clause of the Constitution of the United States (Article IV, Sec. 2) and the 14th Amendment to the Federal Constitution, since a municipality is not a citizen of a state nor is it a person; or may such municipality acquire or operate telephone systems or facilities beyond the territorial limits of this State?

Be it resolved further, That the Secretary of the Senate is directed to transmit to the Clerk of the Supreme Court of Alabama four copies of this Resolution and four copies of S. B. 468, H. B. 831, and H. B. 834.

Which was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Russell:

H. J. R. 87: BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 7, 1951.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Clayton the Rules were suspended and the Resolution, H. J. R. 87, set out in the foregoing Message from the House, was adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 440, said Governor's message being in words and figures as follows, to-wit:

## MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 440, with executive amendments.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

August 3, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 440, with suggested executive amendments:

Amend said bill by striking therefrom Section 2, as the same now appears, and substitute in lieu thereof Section 2, to read as follows:

"Section 2. That all laws and parts of laws in conflict herewith are hereby repealed."

Amend said bill further by adding immediately after Section 2, the following:

"Section 3. That this act shall become effective immediately upon approval of the Governor, or upon its otherwise becoming a law."

The suggested amendments are made with the full knowledge and approval and at the request of the author, and if adopted will remove my objections to said bill.

Respectfully,  
GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 440, by a vote of Yeas 74, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 440. To allow the sheriff of Cullman County, Alabama an additional deputy sheriff to that now provided by law; to fix a salary of said deputy and to make the same payable out of the general funds of Cullman County in monthly installments.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 73, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Fant the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 440, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Robison
Andrews	Fant	Locke (Choctaw)	Skidmore
Benson	Farmer	Locke (Perry)	Smith
Bonner	Golson	Norrell	Thagard
Boutwell	High	Phillips	Todd
Byars	Hollis	Pinson	Whatley
Clayton	Johnson (Chambers)	Quarles	Wright

—27

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Skidmore
Andrews	Golson	McCary	Smith
Boutwell	High	Norrell	Thagard
Byars	Hollis	Phillips	Todd
Clayton	Johnson (Chambers)	Pinson	Whatley
Eddins	Jones	Richardson	Wright
Fant	Locke (Choctaw)	Robison	

—26

Nays:

—0

Which was a majority of the whole number elected to the Senate.

### BILLS ON THIRD READING

The Bill:

H. 745. Relating to prisons and prisoners; amending Section 153 of Title 14, Code of Alabama (1940).

Yeas 27; Nays 0.

Yeas:

Messrs.:	Boutwell	Fant	Golson
Andrews	Clayton	Farmer	High
Bonner	Eddins	Faulkner	Hollis

Jones	Norrell	Reneau	Smith	
Locke (Choctaw)	Phillips	Richardson	Thagard	
Locke (Perry)	Pinson	Robison	Todd	
McCary	Quarles	Skidmore	Whatley	
				—27
Nays:				—0

The Bill:

H. 726. To Extend, Alter, and Rearrange the Boundary Line And The Corporate Limits of the Town of Hodges in Franklin County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Larkins	Quarles	
Andrews	Fant	McCary	Smith	
Benson	Farmer	Norrell	Sollie	
Boutwell	High	Phillips	Thagard	
Byars	Hollis	Pinson	Todd	
Clayton	Jones			—21

Nays: —0

The Bill:

H. 618. To apply only in Jefferson County; To make it unlawful to transport or convey within Jefferson County any machine, mechanical device contrivance, appliance, invention, slip ticket, equipment, paper, or other device whatever its name or character, which is customarily or usually used in the operation of a lottery, policy game, or other game of chance of any sort or kind; to provide for the seizure, forfeiture, and condemnation of any conveyance or vehicle of transportation of any kind which is knowingly used for the transportation or conveyance of, or within which there is contained or found, within Jefferson County any such machine, mechanical device, contrivance, appliance, invention, slip, ticket, equipment, paper, writing or other device, which is customarily or usually used in the operation of a lottery, policy game or other game of chance of any sort or kind; and to fix rules of evidence in court proceedings brought to effect such condemnation of and forfeiture of such conveyances or vehicles.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Phillips	
Andrews	Fant	Jones	Pinson	
Benson	Farmer	Larkins	Quarles	
Boutwell	Foster	McCary	Smith	
Byars	Golson	Norrell	Sollie	
Clayton	High			—21

Nays: —0

The Bill:

H. 713. To extend, alter, rearrange and define the boundary lines and corporate limits of the City of Greensboro, in Hale County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Larkins	Sollie
Andrews	Fant	Phillips	Thagard
Benson	Farmer	Pinson	Todd
Boutwell	High	Quarles	Whatley
Byars	Hollis	Smith	Wright
Clayton	Jones		

—21

*Nays:*

—0

The Bill:

H. 449. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amend House Bill 449 as follows:

Section XVI. Strike out the words, "January 1, 1962" where they appear in Section XVI and insert in lieu thereof the words, "August 1, 1955".

Also:

Amend Section II as follows:

Strike out the comma after the word "commerce" in the first proviso of the first sentence and insert the following:

nor to the sale, distribution, storage, or withdrawal from storage of gasoline which is delivered outside the county.

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Jones	Quarles
Andrews	Fant	Larkins	Smith
Benson	Farmer	McCary	Sollie
Boutwell	Golson	Norrell	Thagard
Byars	High	Pinson	Todd
Clayton	Hollis		

—21

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed.



Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Quarles
Andrews	Fant	Larkins	Smith
Benson	Farmer	McCary	Sollie
Boutwell	Golson	Norrell	Thagard
Byars	High	Pinson	Todd
Clayton	Hollis		

—21

Nays:

—0

**The Bill:**

S. 545. Relating to the City of Russellville, Franklin County; abolishing the City Board of Education and establishing in lieu thereof the Education Commission of the City of Russellville; providing for its organization, procedures, powers and duties, and for the selection, qualifications and compensation of its members.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Sollie
Andrews	Fant	Hollis	Thagard
Benson	Farmer	Jones	Todd
Boutwell	Faulkner	Larkins	Whatley
Byars	Foster	Smith	Wright
Clayton	Golson		

—21

Nays:

—0

**The Bill:**

H. 815. Relating to Tuscaloosa County: To repeal Act No. 424, H. 831, approved September 25, 1947, which levies an additional special privilege or license taxes and excise taxes for hospital purposes (Local Acts, 1947, pp. 281-286), making the Act effective July 31, 1952.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Norrell
Andrews	Fant	Hollis	Phillips
Benson	Farmer	Jones	Skidmore
Boutwell	Faulkner	Larkins	Smith
Byars	Foster	McCary	Sollie
Clayton	Golson		

—21

Nays:

—0

**The Bill:**

S. 504. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable

on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:  
Andrews  
Benson  
Boutwell  
Byars  
Clayton

Eddins  
Fant  
Farmer  
Faulkner  
Foster

Golson  
High  
Hollis  
Jones  
Larkins

Phillips  
Pinson  
Quarles  
Robison  
Solлие

—21

Nays:

—0

## The Bill:

S. 505. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the latest federal decennial census, or which shall hereafter have such population according to any such census that may hereafter be taken, to make appropriations and expend out of their revenues an amount not in excess of two hundred dollars (\$200) per year to aid in the care of, or care for, infirmed sick persons within the corporate limits and police jurisdiction of such cities who are unable to provide and care for themselves.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

## Yeas:

Messrs.:	Eddins	Golson	Phillips
Andrews	Fant	High	Pinson
Benson	Farmer	Hollis	Quarles
Boutwell	Faulkner	Jones	Robison
Byars	Foster	Larkins	Sollie
Clayton			

—21

## Nays:

—0

## The Bill:

S. 506. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such election to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

## Yeas:

Messrs.:	Eddins	High	Robison
Andrews	Fant	Hollis	Smith
Benson	Farmer	Jones	Sollie
Boutwell	Faulkner	Larkins	Thagard
Byars	Foster	Richardson	Todd
Clayton	Golson		

—21

## Nays:

—0

## The Bill:

S. 507. Relating to all cities in the State of Alabama having a population of not less than 78,000 people nor more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment

of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Robison	
Andrews	Fant	Hollis	Smith	
Benson	Farmer	Jones	Sollie	
Boutwell	Faulkner	Larkins	Thagard	
Byars	Foster	Norrell	Todd	
Clayton	Golson			—21

Nays:

—0

The Bill:

S. 508. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 78,000 and not more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Pinson
Andrews	Fant	Larkins	Quarles
Benson	Farmer	McCary	Robison
Boutwell	Golson	Norrell	Smith
Byars	High	Phillips	Sollie
Clayton	Hollis		

—21

Nays: —0

The Bill:

S. 509. To authorize all counties in the State of Alabama having a population of not less than 96,000 and not more than 141,000, according to the last Federal decennial census, or which shall hereafter have such population according to any Federal census, that may hereafter be taken, to make appropriations and expend out of their funds and revenues an amount not exceeding \$200.00 per annum to aid in the care of or for infirm sick persons, where such infirm sick persons are cared for within the corporate limits and police jurisdiction of any city situated within such county, who are unable to provide and care for themselves.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	Norrell	Sollie
Andrews	Golson	Phillips	Thagard
Benson	High	Pinson	Todd
Boutwell	Hollis	Robison	Whatley
Byars	Jones	Smith	Wright
Clayton	McCary		

—21

Nays: —0

The Bill:

S. 511. To provide for the appointment of a humane officer in all counties in this state which may now have or which hereafter have a population of ninety-six thousand people and less than one hundred forty-one thousand people according to the last Federal census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Byars	Farmer	Jones
Andrews	Clayton	Golson	Larkins
Benson	Eddins	High	Phillips
Boutwell	Fant	Hollis	Pinson

**Quarles**  
Robison

**Smith**  
Sollie

**Thagard**

**Todd**

—21

*Nays:*

—0

The Bill:

H. 14. To propose an amendment to the Constitution of Alabama relative to regulating the fees, commissions, allowances, and salaries of any officer of Clarke County; and ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

was taken up.

The Standing Committee on Constitution and Constitutional Revision and Amendments reported the following substitute for the Bill, to-wit:

#### SUBSTITUTE FOR HOUSE BILL NO. 14

#### A BILL TO BE ENTITLED AN ACT

To submit to the qualified voters of the State of Alabama, at an election to be held on the date of the general election of 1952, for their consideration, an amendment to the Constitution of Alabama, so as to authorize and empower the legislature of Alabama, from time to time, by general or local laws, to fix, regulate, and alter the fees, commissions, allowances, and salaries, including the method or basis of their compensation, to be charged or received by any officer of Clarke County, Alabama, and provide the method and basis of their compensation, provided the salaries, fees, or compensation of any officer of Clarke County, shall not be increased or diminished during the term for which he shall have been elected or appointed, after his election or appointment.

Be It Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified voters of Alabama for their consideration as hereinafter set forth, viz: The legislature of Alabama may hereafter, from time to time, by general or local laws, fix, regulate, and alter the fees, commissions, allowances, and salaries, including the method or basis of their compensation, to be charged or received by any officer of Clarke County, Alabama, and including the right to place any one or all of said officers on a salary, and provide for the fees charged and collected by said officers to be paid into the county treasury, from which their salaries are paid, and provide the method and basis of their compensation, provided the salaries, fees, or compensation of any such officer may not be increased or diminished during the term for which he shall have been elected or appointed, after his election or appointment.

Section 2. That it shall be the duty of the Governor to give notice by proclamation to be published in one newspaper in each county of the State at least four consecutive weeks next preceding the general election to be held in 1952, of the election on the amendment proposed by this act, to be submitted to the qualified electors of the State for their consideration, together with the proposed amendment.

Section 3. There shall be held an election, at the time of the general election of 1952, by the qualified electors of the State upon the proposed amendment. Upon the ballots used in said election, there shall be printed the following:

"The legislature of Alabama may hereafter, from time to time, by general or local laws, fix, regulate, and alter the fees, commissions, allowances, and salaries, including the method or basis of their compensation, to be charged or received by any officer of Clarke County, Alabama, and including the right to place any one or all of said officers on a salary, and provide for the fees charged and collected by said officers to be paid into the county treasury, from which their salaries are paid, and provide the method and basis of their compensation, provided the salaries, fees, or compensation of any such officer may not be increased or diminished during the term for which he shall have been elected or appointed, after his election or appointment. Yes ..... No....." The choice of the elector shall be indicated by a crossmark by him or her opposite the word expressing his or her desire.

Section 4. The officers of such election shall be appointed and such election shall be held in all things in accordance with the laws governing general elections, and the officers appointed to hold the general election of 1952, if otherwise qualified, may be appointed to hold this election, and if so appointed, they shall receive no compensation for holding this election other than that paid them for holding the said general election.

Section 5. In the election upon such proposed amendment, the votes cast thereat shall be canvassed, tabulated, and the returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the legislature, and if it shall thereupon appear that a majority of the qualified electors, who voted upon the proposed amendment, voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The results of such election shall be made known by proclamation of the Governor.

Section 6. That all laws or parts of laws in conflict with the provisions of this act are hereby expressly repealed.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Speaker)	Smith	
Andrews	Farmer	McCary	Sollie	
Benson	Golson	Norrell	Thagard	
Boutwell	High	Phillips	Todd	
Byars	Hollis	Pinson	Whatley	
Clayton	Jones	Quarles	Wright	
Eddins	Larkins			—25

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Speaker)	Smith	
Andrews	Farmer	McCary	Sollie	
Benson	Golson	Norrell	Thagard	
Boutwell	High	Phillips	Todd	
Byars	Hollis	Pinson	Whatley	
Clayton	Jones	Quarles	Wright	
Eddins	Larkins			—25

Nays: —0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Pflieger, Gallalee and Wilkins:

H. 916. To require the Commissioner of Licenses of Mobile County, Alabama, to compile and maintain an accurate card index file arranged alphabetically in the names of all business, occupation, professionals, fishing and hunting licenses issued by the Commissioner of Licenses of Mobile County, and to maintain such a file for the use and information of the public, and to provide for payment of compensation for such service.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL NOTICE

Notice is hereby given that there will be introduced for consideration and passage by the Legislature of the State of Alabama during the current session, a local bill providing in substance as follows:

An Act of the Legislature to be entitled:

## AN ACT

To require the Commissioner of Licenses of Mobile County, Alabama, to compile and maintain an accurate card index file arranged alphabetically in the names of all business, occupation, professionals, fishing and hunting licenses issued by the Commissioner of Licenses of Mobile County, and to maintain such a file for the use and information of the public, and to provide for the payment of compensation for such service.

Be It Enacted by the Legislature of Alabama:

Section 1. The commissioner of licenses of Mobile County, Alabama, holding such office under an Act of the legislature adopted in 1945, shall, after the passage of this Act, prepare and maintain in his offices in the Court House of Mobile County, Alabama, a card index file arranged alphabetically according to the first letter of the corporate firm or family name of individuals licensees, said file to be divided according to professions, occupations, businesses or hunting and fishing licenses according to the licenses issued by his office for the current tax year.

Section 2. That the file, cabinets, or cases containing said indexes shall be kept and maintained as a public record for the use of the public on and after the adoption of this Act.

Section 3. For the performance of the duties herein set out in addition to the duties now required by law of the Commissioner of Licenses, there shall be paid to the Commissioner of Licenses the sum of Six Hundred Dollars annually, payable in equal monthly installments out of the general funds of Mobile County.

Section 4. This Act shall take effect upon its passage.

Reg. July 3, 10, 17, 24

W. M. Curran, being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register July 3, 10, 17, 24, 1951.

W. M. CURRAN.

Sworn to and subscribed before me this 25th day of July, 1951.

ALVIN A. JOHNSON  
Notary Public.



Also:

By Mr. Engelhardt:

H. 922. To Extend, Alter and Re-arrange the Boundary Lines and Corporate Limits of the Town of Notasulga, in Macon and Lee Counties, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF BILL TO BE  
INTRODUCED IN  
ALABAMA STATE LEGISLATURE

Notice is hereby given that the Town Council of the Town of Notasulga, Alabama, will introduce in the present general session of the Legislature of the State of Alabama the following proposed bill:

AN ACT

To Extend, Alter and Re-arrange the Boundary Lines and Corporate Limits of the Town of Notasulga, in Macon County, Alabama.

Be It Enacted by the Legislature of the State of Alabama:

Section 1. That from and after the passage and approval of this Act the boundary lines and corporate limits of the Town of Notasulga, Macon County, Alabama, be and the same are extended, altered and re-arranged so as to include within the corporate limits of said Town the following additional territory, same described as follows:

The following described land in Township 18, North, Range 24, East, Macon County, Alabama: South one-half of Section 5, South one-half of Section 6; West one-half of Section 7; West one-half of Northeast one-quarter of Section 18; Northwest one-quarter of Section 18; South one-half of Section 18; South one-half of Section 17; All of Section 16; Southeast one-quarter of Section 9; That part of the South one-half of the Northeast one-quarter of Section 9, lying in Macon County, Alabama.

The following described land in Township 18, North, Range, 24, East, Lee County, Alabama; That part of the South one-half of the Northeast one-quarter of Section 9; lying in Lee County, Alabama; North one-half of Northeast one-quarter of Section 9; South one-half of Section 4.

Section 2. That the boundary lines and corporate limits of the Town of Notasulga, Macon County, Alabama, be and the same are extended, altered, and rearranged so as to include within the boundary lines and corporate limits of said town all territory now within such boundary lines and corporate limits and also the additional territory described in Section 1 hereof located in Macon and Lee Counties, Alabama; all of which territory is more particularly described as follows to-wit:

Beginning at the Northeast corner of the Southeast one-quarter of Section 5, Township 18, North, Range 24, East, a point on the County line between Lee and Macon Counties; thence West one mile along the north line of the south one-half of said Section 5 to the Northeast corner of the Southeast one-quarter of Section 6, Township 18, North, Range 24, East, Macon County, Alabama; thence west one mile along the north line of the south one-half of said section to the Northwest corner of the said south one-half of Section 6, thence south along the range line between Range 23 East and Range 24 East to the Southwest corner of Section 18, Township 18, North, Range 24, East; thence east three miles along the south lines of Sections 18, 17 and 16, Township 18, North, Range 24, East, to the South-east corner of Section 16; thence north one and one-half miles along the east line of Sections 16 and 9 to the Southeast corner of the Northeast one-quarter of Section 9, Township 18, North, Range, 24,

East, a point on the County line between Lee and Macon Counties, Alabama; thence north along the east line of Sections 9 and 4, Township 18, North, Range 24, East, Lee County, Alabama, to the Northeast corner of the south one-half of Section 4, Township 18, North, Range 24, East; thence west one mile along the north line of said south one-half of section 4 to the Northwest corner of said south one-half of Section 4, to point of beginning.

Section 3. That the boundaries set out in Section 2 of This Act be, and the same are hereby, established as the corporate limits of said Town of Notasulga, Macon and Lee Counties, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute the Town of Notasulga, Macon and Lee Counties, Alabama.

Section 4. That all laws and parts of laws, both general, and local, in conflict with this Act be, and the same are hereby repealed.

Section 5. That this Act shall go into effect immediately upon its approval by the Governor.

Roy J. Akin, Mayor, Town of Notasulga, Alabama.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA

#### MACON COUNTY

Before me, a notary public in and for said county and state, personally appeared Hal Fisher, who deposeth and sayeth that he is the publisher of The Tuskegee News, a weekly newspaper published in said County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows: May 31, 1951, June 7, 1951, June 14, 1951, June 21, 1951.

HAL FISHER,  
Publisher.

Sworn to and subscribed before me this 25 day of July, 1951.

Edw. H. Reynolds,  
Notary Public.

Notary Public, Macon County, Ala.

My Commission expires 12/4/54

#### STATE OF ALABAMA

#### COUNTY OF LEE

Before me, Bernice Elliott, a Notary Public, Lee County, Alabama, personally appeared W. C. Wear, Jr., who being first duly sworn, deposes and says as follows:

I am Co-Publisher of the Opelika Daily News, that the following legal notice to wit:

#### NOTICE OF BILL TO BE INTRODUCED IN ALABAMA STATE LEGISLATURE

Notice is hereby given that the Town Council of the Town of Notasulga, Alabama, will introduce in the present general session of the Legislature of the State of Alabama, the following proposed bill:

#### AN ACT

To Extend, Alter, and Re-arrange the Boundary Lines and Corporate Limits of the Town of Notasulga, in Macon County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this Act the boundary lines and corporate limits of the Town of Notasulga, Macon County, Alabama, be and the same are extended, altered and re-arranged so as to include within the corporate limits of said Town the following additional territory, same described as follows:

The following described land in Township 18, North, Range 24, East, Macon County, Alabama: South one-half of Section 5, South one-half of Section 6; West one-half of Section 7; West one-half of Northeast one-quarter of Section 18; Northwest one-quarter of Section 18; South one-half of Section 18; South one-half of Section 17; All of Section 16; Southeast one-quarter of Section 9; That part of the South one-half of the Northeast one-quarter of Section 9, lying in Macon County, Alabama.

The following described land in Township 18, North, Range 24, East, Lee County, Alabama: That part of the South one-half of the Northeast one-quarter of Section 9, lying in Lee County, Alabama; North one-half of Northeast one-quarter of Section 9; South one-half of Section 4.

Section 2. That the boundary lines and corporate limits of the Town of Notasulga, Macon County, Alabama, be and the same are extended, altered, and re-arranged so as to include within the boundary lines and corporate limits of said Town all territory now within such boundary lines and corporate limits and also the additional territory described in Section 1 hereof located in Macon and Lee Counties, Alabama; all of which territory is more particularly described as follows, to-wit:

Beginning at the Northeast corner of the Southeast one-quarter of Section 5, Township 18, North, Range 24, East, a point on the County line between Lee and Macon Counties; thence West one mile along the north line of the south one-half of said Section 5 to the Northeast corner of the Southeast one-quarter of Section 6, Township 18, North Range 24, East, Macon County, Alabama; thence west one mile along the north line of the south one-half of said section to the Northwest corner of the said south one-half of Section 6; thence south along the range line between Range 23 East and Range 24 East to the Southwest corner of Section 18, Township 18, North, Range 24, East; thence east three miles along the south lines of Sections 18, 17 and 16, Township 18, North, Range 24, East to the Southeast corner of Section 16; thence north one and one-half miles along the east line of Section 16 and 9 to the Southeast corner of the North-east one-quarter of Section 9, Township 18, North, Range 24, East, a point on the County line between Lee and Macon Counties, Alabama; thence north along the east line of Sections 9 and 4, Township 18, North, Range 24, East, Lee County, Alabama, to the Northeast corner of the south one-half of Section 4, Township 18, North, Range 24, East; thence west one mile along the north line of said south one-half of Section 4 to the Northwest corner of said south one-half of Section 4 to point of beginning.

Section 3. That the boundaries set out in Section 2 of this Act be, and the same are hereby, established as the corporate limits of said Town of Notasulga, Macon and Lee Counties, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute the Town of Notasulga, Macon and Lee Counties, Alabama.

Section 4. That all laws and parts of laws, both general, special and local, in conflict with this Act be, and the same are hereby repealed.

Section 5. That this Act shall go into effect immediately upon its approval by the Governor.

ROY J. AKIN,  
Mayor, Town of Notasulga, Alabama.

was published once a week for four successive weeks, to-wit: in the Opelika Daily News, Inc., a newspaper published in Lee County, Alabama.

W. C. WEAR, JR.,  
Co-Publisher.

Sworn and subscribed to me this 25 day of June, 1951.

BERNICE ELLIOTT,  
Notary Public.

Also:

By Messrs. Dawkins, Hall, Sellers and Tennille:

H. 923. To authorize the governing body of any municipality in the State of Alabama having a population of as many as 78,000 people and not more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

Also:

By Messrs. Dawkins, Hall, Sellers and Tennille:

H. 924. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

Also:

By Messrs. Dumas, Kaul, Meeks, Beatty, and Morgan (Jefferson), Adams (Jefferson):

H. 805. To further amend section 196 of title 13, Code of Alabama (1940), which relates to the offices of circuit clerk and vacancies in such office.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 916, 922, 923 and 924—To the Committee on Local Legislation.

H. B. 805—To the Committee on Judiciary.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 486. Relating to St. Clair County; repealing an Act approved November 3, 1932 (Act No. 202, H. 416) entitled "An Act to provide for the

election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties."

Also:

S. 484. To propose an amendment to the Constitution of Alabama relating to Lawrence County authorizing the creation of special school districts in said County, special school district taxes, the construction, improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

Also:

S. 485. To impose extra, new, and additional duties upon the Superintendent of Education of Lawrence County, Alabama, and to provide additional compensation for the performance of such duties.

Also:

S. 487. Relating to the Court of Common Pleas of Elmore County; amending Sections 5, 8, 9, and 17 of the Act approved June 2, 1943 (No. 90, H. 374, Local Acts 1943, p. 47) which created and established the Court of Common Pleas of Elmore County.

Also:

S. 498. Relating to Butler County; amending Section 7 of the Act approved May 23, 1951 (Act No. 27, H. 213, Regular Session, 1951) entitled "An Act to create and establish in Butler County, in lieu of the county court and the juvenile court, a court of record with county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein"; making the amendment retroactive.

Also:

S. 503. To alter, rearrange, and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

S. 510. To vacate and abandon that certain Park in the Plat of Highland Park in the City of Montgomery, County of Montgomery, State of Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Wright:

S. J. R. 57. Relative to naming S. B. 166 the "Wright, Boutwell, Farmer, Richardson, Miller, Dawkins, Russell, Harrison (Shelby), Summerlin Bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following joint resolution:

By Mr. Edgar:

H. J. R. 32. Be it resolved by the Legislature of Alabama, both Houses thereof concurring, That the Congress of the United States is hereby respectfully requested, memorialized, and petitioned to enact legislation requiring persons, firms, and corporations engaged in interstate commerce to report their wholesale sales made in interstate commerce to the Revenue Departments of the States affected in order that such States will be able to prevent tax evasions by taxpayers within their jurisdictions.

Be it resolved further, That a duly authenticated copy of this resolve be transmitted by the Clerk of the House to each of the following authorities: the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of Alabama's Congressional Delegation.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Givhan:

H. 92. Relating to taxation: To exempt insecticides from the State's sales and use taxes.

Also:

By Mr. Givhan:

H. 93. Relating to taxation: To exempt feedstuffs from the State's sales and use taxes.

Also:

By Mr. Givhan:

H. 94. Relating to taxation: To exempt fungicides from the State's sales and use taxes.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 92, 93 and 94—To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 466. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the preliminary count of the 1950 federal census or any subsequent federal census and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. High, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 466, the title of which is set out in the foregoing Message from the House.

### A BILL TO BE ENTITLED AN ACT

To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the preliminary count of the 1950 federal census or any subsequent federal census and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the preliminary count of the 1950 federal census or any subsequent federal census and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

Section 2. The following officers shall receive the following annual salaries in lieu of all other compensation:

- (a) Probate Judge—seventy-two Hundred dollars
- (b) Sheriff—six thousand dollars
- (c) Tax Assessor—six thousand dollars
- (d) Tax Collector—six thousand dollars
- (e) Circuit Clerk—six thousand dollars
- (f) Register in Chancery—four thousand two hundred dollars.

Section 3. All fees, commissions, allowances, percentages, charges, and costs heretofore collected for the use of any of the officers enumerated in Section 2 of this Act shall be collected and paid into the general fund of the county.

Section 4. The compensation of the officers enumerated in Section 1 of this Act shall be paid in equal monthly installments as the salaries of other county officers and employees are paid.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	<b>Eddins</b>	<b>High</b>	<b>Sollie</b>
<b>Andrews</b>	<b>Fant</b>	<b>Hollis</b>	<b>Thagard</b>
<b>Benson</b>	<b>Farmer</b>	<b>Jones</b>	<b>Todd</b>
<b>Boutwell</b>	<b>Faulkner</b>	<b>Larkins</b>	<b>Whatley</b>
<b>Byars</b>	<b>Foster</b>	<b>Smith</b>	<b>Wright</b>
<b>Clayton</b>	<b>Golson</b>		

—21

*Nays:*

—0

### MESSAGE FROM THE HOUSE

**Mr. President:**

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 440. To allow the sheriff of Cullman County, Alabama an additional deputy sheriff to that now provided by law; to fix a salary of said deputy and to make the same payable out of the general funds of Cullman County in monthly installments.

Also:

H. 618. To apply only in Jefferson County; To make it unlawful to transport or convey within Jefferson County any machine, mechanical device contrivance, appliance, invention, slip ticket, equipment, paper, or other device whatever its name or character, which is customarily or usually used in the operation of a lottery, policy game, or other game of chance of any sort or kind; to provide for the seizure, forfeiture, and condemnation of any conveyance or vehicle of transportation of any kind which is knowingly used for the transportation or conveyance of, or within which there is contained or found, within Jefferson County any such machine, mechanical device, contrivance, appliance, invention, slip, ticket, equipment, paper, writing or other device, which is customarily or usually used in the operation of a lottery, policy game or other game of chance of any sort or kind; and to fix rules of evidence in court proceedings brought to effect such condemnation of and forfeiture of such conveyances or vehicles.

Also:

H. 713. To extend, alter, rearrange and define the boundary lines and corporate limits of the City of Greensboro, in Hale County, Alabama.

Also:

H. 726. To Extend, Alter, and Rearrange the Boundary Line And The Corporate Limits of the Town of Hodges in Franklin County, Alabama.

Also:

H. 745. Relating to prisons and prisoners; amending Section 153 of Title 14, Code of Alabama (1940).

Also:

H. 815. Relating to Tuscaloosa County: To repeal Act No. 424, H. 831, approved September 25, 1947, which levies an additional special privilege or license taxes and excise taxes for hospital purposes (Local Acts 1947, pp. 281-286), making the Act effective July 31, 1952.

Also:

H. J. R. 32. Requesting Congress to enact legislation requiring that wholesale sales in interstate commerce be reported to Revenue Departments of States affected.



Also:

H. J. R. 75. Designating S. 270 and S. 271.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

#### BILLS ON THIRD READING RESUMED

The Bill:

S. 355. To provide that any person convicted of a felony and sentenced to death and who applies for executive clemency and whose sentence is by the Governor commuted to life imprisonment shall not thereafter be eligible for pardon or parole.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

#### SUBSTITUTE FOR SENATE BILL 355

##### A BILL TO BE ENTITLED AN ACT

To provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for pardon or parole, unless his innocence of the crime for which he was convicted is proved to the satisfaction of the Board of Pardons and Paroles and such Board votes unanimously to grant such person a pardon and the granting of the pardon is approved by the Governor.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person whose sentence to death has been commuted by the Governor to life imprisonment shall not, except as otherwise provided herein, be eligible for either a pardon or a parole from the State Board of Pardons and Paroles, and any such pardon or parole, if granted, shall be void. Provided, however, that whenever sufficient evidence is presented to the Board of Pardons and Paroles to satisfy it that such person was innocent of the crime for which he was convicted and the Board votes unanimously to grant such person a pardon and the Governor concurs in and approves the granting of the pardon, the person shall be eligible for a pardon. It is further provided that this Act shall not be construed to deny to any person whose sentence of death has been commuted to life imprisonment the right to apply to the courts of this State for such remedies as such person is entitled to under the laws of Alabama.

Section 2. All laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Clayton moved that further consideration of the Bill, and pending substitute, be postponed until the next legislative day.

On motion of Mr. Phillips, the motion to postpone until the next legislative day was laid on the table.

Yeas 22; Nays 7.

*Yeas:*

<b>Messrs.:</b>	<b>Faulkner</b>	<b>Locke (Perry)</b>	<b>Robison</b>
<b>Andrews</b>	<b>Hollis</b>	<b>Norrell</b>	<b>Smith</b>
<b>Benson</b>	<b>Johnson (Chambers)</b>	<b>Phillips</b>	<b>Sollie</b>
<b>Bonner</b>	<b>Jones</b>	<b>Pinson</b>	<b>Whitley</b>
<b>Fant</b>	<b>Larkins</b>	<b>Reneau</b>	<b>Wright</b>
<b>Farmer</b>	<b>Locke (Choctaw)</b>	<b>Richardson</b>	

—22

*Nays:*

<b>Messrs.:</b>	<b>Clayton</b>	<b>Golson</b>	<b>Skidmore</b>
<b>Boutwell</b>	<b>Eddins</b>	<b>Quarles</b>	<b>Thagard</b>

—7

On motion of Mr. Faulkner, further consideration of the Bill, S. B. 355, and pending substitute, was indefinitely postponed.

The Bill:

S. 532. To amend Section 1 of Act No. 634, H. 1057, approved July 10, 1940, entitled, "An Act to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict herewith."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

<b>Messrs.:</b>	<b>Eddins</b>	<b>Larkins</b>	<b>Quarles</b>
<b>Andrews</b>	<b>Fant</b>	<b>McCary</b>	<b>Smith</b>
<b>Benson</b>	<b>Golson</b>	<b>Norrell</b>	<b>Sollie</b>
<b>Boutwell</b>	<b>High</b>	<b>Phillips</b>	<b>Thagard</b>
<b>Byars</b>	<b>Hollis</b>	<b>Pinson</b>	<b>Todd</b>
<b>Clayton</b>	<b>Jones</b>		

—21

*Nays:*

—0

The Bill:

S. 495. To create a fund in the State Treasury to be known as the Mansion Fund; to define the purposes for which said fund may be used and the manner of making withdrawals therefrom; to provide for the appropriation thereto; to repeal all laws in conflict herewith; and to provide the effective date of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 32; Nays 0.

*Yeas:*

<b>Messrs.:</b>	<b>Boutwell</b>	<b>Fant</b>	<b>High</b>
<b>Andrews</b>	<b>Byars</b>	<b>Farmer</b>	<b>Hollis</b>
<b>Benson</b>	<b>Clayton</b>	<b>Faulkner</b>	<b>Johnson (Chambers)</b>
<b>Bonner</b>	<b>Eddins</b>	<b>Golson</b>	<b>Jones</b>

Larkins	Pinson	Robison	<b>Thagard</b>	
<b>Locke (Choctaw)</b>	Quarles	<b>Skidmore</b>	<b>Todd</b>	
Locke (Perry)	Reneau	Smith	Whatley	
McCary	Richardson	Sollie	<b>Wright</b>	
Phillips				—32

Nays: —0

The Bill:

S. 392. To abolish the fund in the State Treasury known as the Governor's Contingent Fund and to repeal Section 179, Title 55, Code of Alabama 1940, which relates to the Governor's Contingent Fund.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 32; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison	
<b>Andrews</b>	Faulkner	Locke (Perry)	<b>Skidmore</b>	
<b>Benson</b>	Golson	McCary	Smith	
<b>Bonner</b>	High	Phillips	Sollie	
<b>Boutwell</b>	Hollis	Pinson	<b>Thagard</b>	
<b>Byars</b>	Johnson (Chambers)	Quarles	<b>Todd</b>	
<b>Clayton</b>	Jones	Reneau	<b>Whatley</b>	
<b>Eddins</b>	Larkins	Richardson	<b>Wright</b>	
<b>Fant</b>				—32

Nays: —0

The Bill:

S. 177. To amend Section 13 of Act No. 590, approved June 27, 1940 (1939 General Acts of Alabama, page 958) entitled "An Act to impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto.", which relates to cost of collection expenses.

was taken up.

Mr. Boutwell offered the following substitute for the bill, to-wit:

#### SUBSTITUTE FOR S. B. 177

#### A BILL TO BE ENTITLED AN ACT

To amend Section 13 of Act No. 590, approved June 27, 1940 (1939 General Acts of Alabama, page 958) entitled "An Act to impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor ve-

hicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto," which relates to cost of collection expenses.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 13 of Act No. 590, approved June 27, 1940 (1939 General Acts of Alabama, page 958) be, and the same is hereby amended to read as follows:

"Section 13. Disposition of Proceeds of Tax: There shall be deducted from the proceeds of the excise tax herein imposed, when collected, such amount of money as shall be appropriated for each fiscal year by the Legislature to the Department of Revenue with which to pay the salaries, the cost of operation and management of said Department, as a first charge thereon; provided, however, that the expenditure of said sum so appropriated shall be budgeted and allotted pursuant to Title 55, Article 3, Chapter 4, Code of Alabama 1940. The balance of the proceeds shall be covered into the treasury to the credit of the highway department for use exclusively in the construction, repair, maintenance and operation of public roads and bridges of this State, including any toll road or toll bridge constructed by said department or maintained and operated by or under the supervision of said department."

Section 2. That this Act shall become effective October 1, 1951.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Perry)	Skidmore
Andrews	Faulkner	McCary	Smith
Benson	Golson	Phillips	Sollie
Bonner	High	Pinson	Thagard
Boutwell	Hollis	Quarles	Todd
Byars	Johnson (Chambers)	Reneau	Whatley
Clayton	Locke (Choctaw)	Richardson	Wright
Eddins			

—28

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Perry)	Skidmore
Benson	Golson	McCary	Smith
Bonner	High	Phillips	Sollie
Boutwell	Hollis	Pinson	Thagard
Byars	Johnson (Chambers)	Quarles	Whatley
Clayton	Tones	Reneau	Wright
Eddins	Locke (Choctaw)	Richardson	

—26

Nays:

—0

At 12:50 P. M. Mr. Locke (Choctaw) moved that the Senate do now adjourn until Tuesday, August 7, 1951, which motion was lost.

Yeas 13; Nays 18.

Yeas:

Messrs.:	Johnson (Chambers)	Reneau	Smith	
Byars	Locke (Choctaw)	Richardson	Sollie	
Farmer	Locke (Perry)	Skidmore	Whatley	
Golson	Pinson			—13

Nays:

Messrs.:	Clayton	Hollis	Robison	
Andrews	Eddins	Larkins	Thagard	
Benson	Fant	McCary	Todd	
Bonner	Faulkner	Phillips	Wright	
Boutwell	High	Quarles		—18

The Bill:

S. 175. To amend Title 28, Section 325, of the Code of Alabama 1940, as amended by Act No. 675, approved September 19, 1949, which relates to expenditures from State Insurance Fund.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 24; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Robison	
Andrews	Farmer	McCary	Skidmore	
Benson	Faulkner	Phillips	Sollie	
Bonner	Hollis	Quarles	Thagard	
Boutwell	Johnson (Chambers)	Reneau	Todd	
Clayton	Jones	Richardson	Wright	
Eddins				—24

Nays:

—0

The Bill:

S. 494. To amend Section 714, Title 51, Code of Alabama 1940, which relates to the fees of probate judges for issuing licenses for operating motor vehicles.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 23; Nays 4.

Yeas:

Messrs.:	Hollis	McCary	Skidmore	
Andrews	Johnson (Chambers)	Phillips	Sollie	
Boutwell	Jones	Quarles	Thagard	
Clayton	Larkins	Reneau	Todd	
Fant	Locke (Choctaw)	Richardson	Whatley	
Faulkner	Locke (Perry)	Robison	Wright	
				—23

*Nays:*

Messrs.:	Bonner	Eddins	Smith
Benson			

—4

The Bill:

S. 21. To amend Title 36, Article 2, Section 75, Code of Alabama 1940, to provide that the requirements which are contained therein shall include that the motor vehicle shall have a current and valid license tag of the proper classification in addition to the other requirements now made in said code section, and further that it shall be the duty of all law enforcement officers of this state to enforce said section.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 26; Nays 0.

*Yeas:*

Messrs.:	Faulkner	McCary	Smith
Andrews	Hollis	Phillips	Sollie
Benson	Johnson (Chambers)	Quarles	Thagard
Bonner	Jones	Reneau	Todd
Boutwell	Larkins	Richardson	Whatley
Clayton	Locke (Choctaw)	Robison	Wright
Fant	Locke (Perry)	Skidmore	

—26

*Nays:*

—0

The Bill:

S. 420. To authorize Alabama Institute for Deaf and Blind, a body corporate, to borrow money for the purpose of paying salaries of employees, and for the purpose of paying expenses of operating said Alabama Institute for Deaf and Blind, and for the purpose of paying obligations already incurred in the operation of said Alabama Institute for Deaf and Blind.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Hollis	Phillips	Smith
Andrews	Johnson (Chambers)	Quarles	Sollie
Benson	Jones	Reneau	Thagard
Bonner	Larkins	Richardson	Todd
Boutwell	Locke (Choctaw)	Robison	Whatley
Clayton	Locke (Perry)	Skidmore	Wright
Faulkner	McCary		

—25

*Nays:*

—0

The Bill:

S. 476. Proposing an amendment to the Constitution of Alabama: to prohibit the Legislature and every county, municipality or other political subdivision of the State from increasing the salary, fees or compensation of any officer of the State or of any county, municipality or other political subdivision of the State, who is elected or appointed for a fixed term, during the term for which he is elected or appointed.

was taken up.

Mr. Boutwell offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 476

A BILL  
TO BE ENTITLED  
AN ACT

Proposing an amendment to the Constitution of Alabama: to prohibit the Legislature and every county from increasing the salary, fees or compensation of any officer of the State or of any county, who is elected or appointed for a fixed term, during the term for which he is elected or appointed.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

AMENDMENT

"Any provisions of this Constitution or amendments thereto to the contrary notwithstanding, neither the Legislature, nor any county, shall, by the imposition of new, different, and additional duties or otherwise, increase, nor authorize the increase of, the salary, fees or other compensation of any officer of the State or of any county of the State, who is elected or appointed for a fixed term, during the term for which he is elected or appointed, regardless of whether such officer may be removed at the pleasure of the authority electing or appointing him or only upon impeachment. Nor shall the Legislature or any county of the State, increase, or authorize the increase of, the salary, fees or compensation of any person filling an unexpired term in any such office during the remainder of such term, either before or after the appointment or election of such person to fill the unexpired term."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday following the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Section 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fant	McCary	Smith
Andrews	Faulkner	Phillips	Sollie
Benson	Folles	Quarles	Thagard
Bonner	Johnson (Chambers)	Reneau	Todd
Boutwell	Larkins	Richardson	Whatley
Clayton	Locke (Choctaw)	Robison	Wright
Eddins	Locke (Perry)	Skidmore	

—26

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

*Yeas:*

Messrs.:	Fant	Locke (Choctaw)	Smith
Andrews	Farmer	Phillips	Sollie
Benson	Faulkner	Quarles	Thagard
Bonner	Hollis	Reneau	Todd
Boutwell	Johnson (Chambers)	Richardson	Whatley
Clayton	Jones	Robison	Wright
Eddins	Larkins	Skidmore	

—26

*Nays:*

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill:

S. 232. To provide for the transfer of any surplus in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account after the payment of all appropriations now or hereafter made payable from said funds for each of the fiscal years ending September 30, 1951, and September 30, 1953, to the Alabama State Building Commission to be used as a part of the Building Commission Fund.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 232, the title of which is set out in the foregoing Message from the House:

### AMENDMENT TO SENATE BILL NO. 232

Amend Senate Bill No. 232, by striking the words "said funds to be expended for educational purposes only" where they appear at the end of Section 3, and inserting in lieu thereof the following:

"Said funds to be allocated to educational use for capital outlay, 12% to be allocated to the institutions of higher learning and the trade schools; the 88% remaining shall be allocated to county and city boards of education on an actual teacher unit basis in accordance with the minimum school program.

Yeas 26; Nays 0.

*Yeas:*

Messrs.:	Farmer	Locke (Perry)	Skidmore
Benson	Faulkner	McCary	Smith
Boutwell	Hollis	Phillips	Sollie
Byars	Johnson (Chambers)	Quarles	Thagard
Clayton	Jones	Reneau	Todd
Eddins	Larkins	Richardson	Whatley
Fant	Locke (Choctaw)	Robison	

—26

*Nays:*

—0



The Bill:

S. 357. To propose an amendment to the Constitution of Alabama in relation to expenditure of moneys derived from fees or taxes relating to the use of vehicles on public highways, or to fuels used for propelling such vehicles.

was taken up.

The Standing Committee on Constitution and Constitutional Revision and Amendments reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 357

A BILL  
TO BE ENTITLED  
AN ACT

To propose an amendment to the Constitution of Alabama in relation to expenditure of moneys derived from fees or taxes relating to the use of vehicles on public highways, or to fuels used for propelling such vehicles.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and there is hereby ordered an election by the qualified electors of the State of Alabama upon the proposed amendment and the day hereby appointed for the said election is the day of the general election next succeeding the final adjournment of the present session of the Legislature:

"No moneys derived from any fees, excises, or license taxes, LEVIED BY THE STATE, relating to registration, operation, or use of vehicles upon the public highways except a vehicle-use tax imposed in lieu of a sales tax, and no moneys derived from any fees, excises, or license taxes, LEVIED BY THE STATE, relating to fuels used for propelling such vehicles except pump taxes, shall be expended for other than cost of administering such laws, statutory refunds and adjustments allowed therein, cost of construction, reconstruction, maintenance and repair of public highways and bridges, costs of highway rights-of-way, payment of highway obligations, the cost of traffic regulation, and the expense of enforcing state traffic and motor vehicle laws."

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor, which shall be published in one newspaper in every county in the State once a week for at least four successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided the qualified electors shall vote on such proposed amendment, and on the official ballot provided for such election there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of Alabama,"

"No moneys derived from any fees, excises, or license taxes, LEVIED BY THE STATE, relating to registration, operation, or use of vehicles upon the public highways except a vehicle-use tax imposed in lieu of a sales tax, and no moneys derived from any fee, excises, or license taxes, LEVIED BY THE STATE, relating to fuels used for propelling such vehicles except pump taxes, shall be expended for other than cost of administering such laws, statutory refunds and adjustments allowed therein, cost of construction, reconstruction, maintenance and repair of public highways and bridges, costs of highway rights-of-way, payment of high-

way obligations, the cost of traffic regulation, and the expense of enforcing state traffic and motor vehicle laws" "( ) Yes" "( ) No."

Section 4. The officials of the general election to be held in November 1952 shall be the officers for holding the election herein provided for, and the expense of printing the ballots herein provided for shall be paid out of the State Treasury as other expenses for holding general elections in this State are paid, and there is hereby appropriated out of the available funds of the State such sums as may be necessary to defray the expense of printing and distributing the ballots mentioned.

Section 5. The votes cast at such election shall be canvassed, tabulated and returns thereof made to the Secretary of State and counted in the same manner as in elections to the Legislature; and if it shall thereupon appear that a majority of the qualified electors voting at such election on the proposed amendment voted in favor of same, such amendment shall immediately be valid to all intents and purposes as a part of the Constitution of Alabama. The results of such elections shall be made known by a proclamation of the Governor.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Skidmore
Andrews	Faulkner	McCary	Smith
Benson	Hollis	Phillips	Sollie
Bonner	Johnson (Chambers)	Quarles	Thagard
Boutwell	Jones	Reneau	Todd
Clayton	Larkins	Richardson	Whatley
Eddins	Locke (Choctaw)	Robison	Wright
Fant			

—28

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Skidmore
Andrews	Faulkner	McCary	Smith
Benson	Hollis	Phillips	Sollie
Bonner	Johnson (Chambers)	Quarles	Thagard
Boutwell	Jones	Reneau	Todd
Clayton	Larkins	Richardson	Whatley
Eddins	Locke (Choctaw)	Robison	Wright
Fant			

—28

Nays:

—0

The Bill:

S. 360. To provide that counties disburse gasoline tax moneys received from the state on a county-wide basis under the direction of county governing bodies and the supervision of a county engineer for the establishment, construction, repair and maintenance of county roads and bridges; powers and duties of county engineers.

and pending substitute, as amended, which substitute is set out in the Journal of the Senate for the twenty-second legislative day, was taken up.

Mr. Quarles offered the following amendment to the substitute, as amended, for the Bill, to-wit:

Amendment to Substitute for Senate Bill 360.

Amend substitute for Senate Bill 360 by striking therefrom Section 7 as the same therein appears and substituting in lieu thereof the following:

"Section 7. All laws or parts of laws in conflict with this Act, except local laws, are hereby repealed."

Which was adopted.

Mr. Reneau offered the following amendment to the substitute, as amended, for the Bill, to-wit:

Amend the Substitute for S. B. 360 by inserting the following as Section 6A.

Section 6A. This Act shall not be applicable to any county having a population of not less than 31,500 nor more than 34,750 inhabitants according to the 1950 or any subsequent decennial census of the United States.

Which was adopted.

Mr. Locke (Perry) offered the following amendment to the substitute, as amended, for the Bill, to-wit:

Amendment to substitute for S. B. 360.

Amend substitute for S. B. 360 by striking therefrom Section 7 as the same therein appears, and by substituting in lieu thereof the following:

"Section 7. All laws or parts of laws in conflict with this Act, except local laws prescribing the duties and compensation of the members of the County Governing Body, are hereby repealed."

On motion of Mr. Quarles said amendment was laid on the table.

Yeas 22; Nays 2.

Yeas:

Messrs.:	Eddins	Larkins	Sollie	
Andrews	Farmer	Phillips	Thagard	
Benson	Faulkner	Quarles	Todd	
Bonner	Hollis	Robison	Whatley	
Boutwell	Johnson (Chambers)	Skidmore	Wright	
Clayton	Jones	Smith		—22

Nays: Messrs.: Locke (Choctaw) and Locke (Perry) —2

And said substitute, as thus amended, for the Bill, was then adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Skidmore
Andrews	Farmer	Locke (Perry)	Smith
Benson	Faulkner	McCary	Sollie
Bonner	Hollis	Phillips	Thagard
Boutwell	Johnson (Chambers)	Quarles	Todd
Clayton	Jones	Reneau	Whatley
Eddins	Larkins	Robison	Wright

—27

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 2.

Yeas:

Messrs.:	Farmer	McCary	Smith
<b>Andrews</b>	Faulkner	Phillips	Sollie
<b>Benson</b>	Hollis	Quarles	Thagard
<b>Bonner</b>	Johnson (Chambers)	Reneau	Todd
<b>Boutwell</b>	Jones	Richardson	Whatley
<b>Clayton</b>	Larkins	Robison	Wright
<b>Eddins</b>	Locke (Choctaw)	Skidmore	

—26

Nays: Messrs.: Fant and Locke (Perry)

—2

### REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the twenty-sixth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

### COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the twenty-sixth legislative day approved by the Senate.

### ADJOURNMENT

At 1:45 P. M. on motion of Mr. Reneau, and in accordance with joint resolution heretofore adopted, the Senate adjourned until Tuesday, August 7, 1951, at 10 o'clock A. M.

### TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, AUGUST 7, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

### PRAYER

The Session was opened with prayer by Rev. Joseph McArdle, Pastor, St. Bede's Catholic Church.

### ROLL CALL

Present:

Messrs.:	Boutwell	Fant	Golson
<b>Andrews</b>	Byars	er	High
<b>Benson</b>	Clayton	Faulkner	Hollis
<b>Bonner</b>	Eddins	Foster	Johnson (Chambers)

Johnston (Mobile)	McCary	Reneau	Sollie
Jones	Norrell	Richardson	Thagard
Larkins	Phillips	Robison	Todd
Locke (Choctaw)	Pinson	Skidmore	Whately
Locke (Perry)	Quarles	Smith	Wright

—35

## JOURNAL

On motion of Mr. McCary the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following Senate Bills and Senate Joint Resolutions with the original and engrossed bills and resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 232. To provide for the transfer of any surplus in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account after the payment of all appropriations now or hereafter made payable from said funds for each of the fiscal years ending September 30, 1951, and September 30, 1953, to the Alabama State Building Commission to be used as a part of the Building Commission Fund.

Also:

S. 466. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the preliminary count of the 1950 federal census or any subsequent federal census and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

Also:

S. 484. To propose an amendment to the Constitution of Alabama relating to Lawrence County authorizing the creation of special school districts in said County, special school district taxes, the construction, improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

Also:

S. 485. To impose extra, new, and additional duties upon the Superintendent of Education of Lawrence County, Alabama, and to provide additional compensation for the performance of such duties.

Also:

S. 486. Relating to St. Clair County: repealing an Act approved November 3, 1932 (Act No. 202, H. 416) entitled "An Act To provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties."

Also:

S. 487. Relating to the Court of Common Pleas of Elmore County; amending Sections 5, 8, 9, and 17 of the Act approved June 2, 1943 (No. 90, H. 374, Local Acts, 1943, p. 47) which created and established the Court of Common Pleas of Elmore County.

Also:

S. 498. Relating to Butler County; amending Section 7 of the Act approved May 23, 1951 (Act No. 27, H. 213, Regular Session, 1951), entitled "An Act To create and establish in Butler County, in lieu of the county court and the juvenile court, a court of record with county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein"; making the amendment retroactive.

Also:

S. 503. To alter, rearrange, and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

S. 510. To vacate and abandon that certain Park in the Plat of Highland Park in the City of Montgomery, County of Montgomery, State of Alabama.

Also:

S. J. R. 54. Relative to: Naming of Senate Bill 166.

Also:

S. J. R. 57. Relative to: Naming of S. B. 166.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following Engrossed Bill with the original bill and finds same correctly engrossed, to-wit:

By Mr. Quarles:

S. 360. To provide that counties disburse gasoline tax moneys received from the state on a county-wide basis under the direction of county governing bodies and the supervision of a county engineer for the establishment, construction, repair and maintenance of county roads and bridges; powers and duties of county engineers.

J. B. RICHARDSON,  
Chairman.

#### MOTION IN WRITING

Mr. McCary offered the following motion in writing:

"I hereby move that the Senate instruct the Rules Committee to report Senate Joint Resolution No. 33 on the next legislative day."

ELVIN C. McCARY.

On motion of Mr. Andrews the motion of Mr. McCary was laid on the table.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Golson	Phillips	Robison
Andrews	High	Pinson	Skidmore
Byars	Hollis	Quarles	Sollie
Clayton	Locke (Choctaw)	Reneau	Thagard
Eddins	Locke (Perry)	Richardson	Todd
Farmer	Norrell		

—21

Nays:

Messrs.:	Faulkner	Johnson (Chambers)	McCary
Boutwell	Foster	Jones	Smith
Fant			

—8

### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor relative to the appointment of members of the Alabama State Docks Board and ordered same returned to the Senate with a favorable report, to-wit:

Leslie Dee, Tuscaloosa, For a term of two years, said term expiring August 1, 1953.

Alto V. Lee, III, Dothan, For a term of four years, said term expiring August 1, 1955.

Ernest H. Woods, Birmingham, For a term of six years, said term expiring August 1, 1957.

James G. Pruett, Jr., Montgomery, For a term of eight years, said term expiring August 1, 1959.

Leonard Hardy, Mobile, For a term of ten years, said term expiring August 1, 1961.

And on motion of Mr. Johnston (Mobile), the foregoing members of the Alabama State Docks Board were confirmed by the Senate.

### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Eddins:

S. 583. To authorize and provide for the payment of the sum of \$216.86 for the relief of Joel M. Ragland, who was seriously injured while employed by the State of Alabama in the line and scope of his employment.

Committee on Finance and Taxation.

By Mr. Phillips:

S. 584. To provide that any person whose sentence to death has been commuted by the governor to life imprisonment shall not thereafter be eligible for pardon unless his innocence of the crime for which he was convicted is proved to the satisfaction of the Board of Pardons and Paroles, and such board votes unanimously to grant such person a pardon and the granting of the pardon is approved by the Governor; to provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for parole until

such person shall have served at least fifteen years of such life sentence:  
Committee on Public Welfare and Correctional Institutions.

By Mr. Boutwell:

S. 585. To amend subsection (g) of Section 3 of Act No. 460, Senate Bill 431, approved August 25, 1949, entitled, "An Act to amend Sections 1 and 3 of Act No. 523, Senate Bill 315, approved September 30, 1947, entitled, 'An Act to create and establish a Water Improvement Advisory Commission; to define the duties, jurisdiction, and powers of such commission; to provide for its personnel, and the term of office and method for appointment of same; to provide for regular and special meetings of said Commission; to appropriate the sum of Fifty Thousand and No/100 (50,000.00) Dollars annually for each of the fiscal years 1948 and 1949, for the purpose of carrying out the provisions of this Act; and for other purposes.'"

Committee on Finance and Taxation.

By Mr. Boutwell:

S. 586. To make an appropriation to the State Board of Veterinary Medical Examiners for each of the fiscal years ending September 30, 1952 and September 30, 1953.

Committee on Finance and Taxation.

By Mr. Wright:

S. 587. Relating to Talladega County: To abolish the Court of County Commissioners of Talladega County and create in lieu thereof the Board of Revenue of Talladega County; providing for its organization and for the election, term, compensation, expenses, powers and duties of its chairman and association members; and providing for county purchases by the Board.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLADEGA

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Talladega County: To abolish the Court of County Commissioners of Talladega County and create in lieu thereof the Board of Revenue of Talladega County; providing for its organization and for the election, term, compensation, expenses, powers and duties of its chairman and associate members; and providing for county purchases by the Board.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners of Talladega County is hereby abolished and in lieu thereof there is hereby created the Board of Revenue of Talladega County.

Section 2. The Board of Revenue shall be composed of a chairman and four associate members. The qualified electors of Talladega County shall elect the chairman of the Board of Revenue from the county at large and a member of the Board of Revenue for each of the four commissioners' districts in the county as they are now constituted. A candidate for chairman of the Board must be qualified elector and legal resident of the district which he seeks to represent. The chairman and



members of the Board for districts 2 and 4 shall be elected at the general election of 1952 and every four years hereafter. Members of the Board for districts 1 and 3 shall be elected at the general election of 1954 and every four years thereafter. The chairman and associate members of the Board shall hold office for terms of four years from the first Monday after the second Tuesday in January next after their election and until their successors are elected and qualified. Until the election of members of the Board for districts 1 and 3 as provided herein the present members of the Court of County Commissioners from those districts shall serve as members of the Board.

Section 3. The chairman of the Board shall devote his entire time to the duties of his office and shall receive an annual salary of \$5,000. The associate members of the Board shall receive an annual salary of \$1200. Salaries of the chairman and associate members of the Board shall be paid from the county treasury in the same manner as the salaries of other county officials and employers are paid.

Section 4. The Board shall hold regular meetings on the first Monday of each month and may hold special meetings upon the call of the chairman or any three members of the Board. Three members of the Board constitute a quorum for the transaction of business. The Board shall keep complete and accurate written minutes of all meetings, business transacted and resolutions, and there shall be recorded therein the vote of each individual member, and at each meeting the minutes of the previous meeting shall be read and all minutes shall be open to public inspection at reasonable times.

Section 5. Except as otherwise provided herein the Board shall have all the jurisdiction and powers which are or may be vested in courts of county commissioners or boards of revenue by the general laws of the State, and the members thereof shall perform all the duties and services and exercise all the powers which are or may be provided by law for members of courts of county commissioners or boards of revenue.

Section 6. The president of the Board shall be its presiding officer and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the Board, and shall sign all warrants drawn on the county treasury, unless in the event of his disability some other member of the Board shall be designated by an appropriate resolution of the Board so to do, and it shall be his duty to receive and prepare business and obtain information for the sessions of said Board, and to see to the execution of all orders thereof, and to report the Board all infractions of the revenue law in said county of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required of the probate judge as to matters coming before the court of county commissioners. He shall devote his full time to the duties of his office.

Section 7. Each associate member shall keep constantly advised as to the condition of county roads, bridges, and buildings and see that the same are kept in repair and improved.

Section 8. Where any member of the Board shall use his privately owned automobile in and about the performance of his duties, he shall be furnished by the county, and at its expense, gasoline and motor oil, not to exceed fifty (50) gallons of gasoline and one and one-half (1½) gallons of motor oil during any calendar month, to be used in his said automobile while engaged in the performance of the duties of his office.

Section 9. The Board shall on all purchases for the county in excess of \$150.00, and for not more than \$1,000, receive publicly, competitive bids therefor after due notice, by posting at the courthouse door for at least five days prior thereto of the proposed purchases and a brief speci-

fication thereof, but for all purchases in excess of \$1,000, like advertisements shall be given at least one time in a newspaper of general circulation in in conflict with this Act are repealed. the county. The provisions in this section contained shall not apply if purchases are made through any legally constituted state purchasing or contracting agency by whatever name or designation the same may be known.

Section 10. All laws or parts of laws in conflict with this Act are repealed.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. Section 2 of this Act shall become effective immediately upon the passage of the Act; the remainder of the Act shall become effective on the first Monday after the second Tuesday in January 1953.

17-24-31-A 6

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ila G. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was B'kpr of the Talladega Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 30, and Aug. 6, all in the year 1951.

Ila G. Davis.

Sworn to and subscribed before me August 6, 1951.

SUE S. SUMMERLIN,  
Notary Public.

By Mr. Robison:

S. 588. Relating to counties having a population of not less than ninety-six thousand nor more than one hundred forty thousand inhabitants according to the last or any subsequent federal census; to provide for the county and the municipalities therein having a population of five thousand inhabitants or more according to the last or any subsequent federal census a civil service system governing the appointment, removal, salaries, tenure, and official conduct of certain employees thereof; creating a citizens supervisory committee and prescribing its organization, powers and duties; creating a personnel department composed of a personnel board and a personnel director; providing for the appointment, organization, powers and duties of the board and for the compensation of its members; providing for the selection, qualifications, compensation, powers, duties and functions of the director; providing for the payment of the expenses incurred in the administration of this Act; and defining violations of the Act and prescribing penalties therefor.

Committee on Local Legislation.

By Messrs. Robison, Golson, Quarles, Pinson, Faulkner, Clayton and Ed-dins:

S. 589. To authorize the creation of a public corporation for the purpose of completing the construction and equipment of the coliseum building and necessary facilities in connection therewith located in the Alabama Agricultural Center; to authorize the conveyance to the said corporation by the state of the said coliseum building in its present uncom-

pleted condition together with lands in connection therewith; to authorize the issuance by said corporation of interest bearing revenue bonds, not exceeding \$1,250,000 in aggregate principal amount, for the purpose of completing the construction and equipment of the said coliseum building and necessary facilities in connection therewith and the improvement of said lands, to be payable solely out of the rentals received in the leasing of properties of said corporation; to make provisions respecting such bonds including a provisions that they shall constitute negotiable instruments; to authorize the lease by the said corporation of all or any part of its properties to the Agricultural Center Board; to authorize, as security for said bonds, the pledge of said lease and the rentals payable thereunder and the creation of a lien on said rentals; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge and lien and to provide that such filing will constitute constructive notice thereof; to provide the use to which the proceeds from the sale of said bonds may be put; to specify conditions covering the letting of contracts for the completion of the construction and equipment of said coliseum building and necessary facilities in connection therewith; to authorize the issuance of refunding bonds by said corporation; to impose on the State Treasurer the duty of disbursing the proceeds of said bonds and said rentals; to provide that said bonds shall constitute legal investments for fiduciaries, savings banks and insurance companies and shall be eligible as security for the deposit of funds of the state and its instrumentalities; to exempt from taxation the properties of said corporation and the rentals derived therefrom, the said bonds and the income therefrom, and all lease agreements and pledge and lien instruments authorized hereunder; to provide for the publication of notice of the adoption of a resolution authorizing the issuance of said bonds and to specify a limitation of time thereafter for actions or defenses questioning the validity of said bonds or the pledge made therefor; and to provide for the dissolution of said corporation and the conveyance to the state of the properties of the corporation upon payment of its bonds and the obligations incurred by it under the provisions of this act.

Committee on Finance and Taxation.

By Messrs. Robison, Golson, Quarles, Pinson, Faulkner, Clayton and Ed-  
dins:

S. 590. To authorize the Agricultural Center Board to lease the coliseum building and any facilities necessary in connection therewith forming a part of the Alabama Agricultural Center from any public corporation organized for the purpose of completing and equipping said coliseum building and facilities; to specify provisions for said lease; to authorize the said board to operate the properties leased and make contracts respecting the same and charges in connection therewith; to provide that said lease shall not constitute or give rise to an indebtedness of the state and that the rentals thereunder shall be payable solely out of moneys in the Agricultural Center Fund derived from the operation of the properties so leased and, to the extent to which such revenues may not be sufficient to pay said rentals and the operating and administrative expenses of the board, out of moneys accruing to the Agricultural Fund under the provisions of Section 31 of Title 2 of the Code of 1940, and to make continuing appropriations therefor out of said funds; to repeal Sections 2 and 4 of Act Number 282 adopted at the 1945 Regular Session of the Legislature of Alabama; and to specify the effective date of this Act.

Committee on Finance and Taxation.

By Mr. Johnston (Mobile):

S. 591. To abolish the process of garnishment in aid of pending suits and on judgments in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, the provisions of which Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the Civil Division of the Inferior Crimi-

nal Court of Mobile County, Alabama, and to repeal or declare inoperative all laws or parts of laws in conflict therewith.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that a Local Bill will be offered for introduction and passage at the present 1951 Session of the Legislature of Alabama, providing in substance as follows, viz:

#### A BILL TO BE ENTITLED AN ACT

To abolish the process of garnishment in aid of pending suits and on judgments in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, the provisions of which Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the Civil Division of the Inferior Criminal Court of Mobile County, Alabama, and to repeal or declare inoperative all laws or parts of laws in conflict therewith.

Be It Enacted by the Legislature of Alabama:

Section 1. That the process of garnishment in aid of pending suits and on judgments in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, is hereby abolished.

Section 2. The provisions of this Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the Civil Division of the Inferior Criminal Court of Mobile County, Alabama.

Section 3. All process of garnishment in aid of pending suits and on judgments, or any attempt to institute such process, in courts of Justices of the Peace in Mobile County, Alabama, shall be absolutely void and of no effect.

Section 4. That this Act shall not apply to the process of garnishment on any judgments rendered in courts of the Justices of the Peace in Mobile County, Alabama, prior to the date of this Act becoming a law.

Section 5. That all laws and parts of laws, general, special or local, in conflict herewith, be and the same are hereby repealed or declared inoperative as to Mobile County in this state.

Section 6. That this Act shall be effective and in force on and after its passage, and approval by the Governor, or its otherwise becoming a law.

Register, June 20, 27, July 4, 11

W. M. Curran, being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register June 20, 27, July 4, 11th, 1951.

W. M. CURRAN.

Sworn to and subscribed before me this 18th day of July, 1951.

ALVIN A. JOHNSON  
Notary Public

By Mr. Smith:

S. 592. Relating to Cherokee County; providing for the payment by the county of the compensation of the Chief Clerk in the office of the Judge of Probate.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

#### THE STATE OF ALABAMA CHEROKEE COUNTY

Notice is hereby given that at the current session of the Legislature of Alabama a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Cherokee County; provide for the payment of the county of the compensation of the Chief Clerk in the office of the Judge of Probate.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Cherokee County is hereby authorized, directed and required to pay the salary of the Chief Clerk in the office of the Judge of Probate, which salary is hereby fixed at one thousand eight hundred dollars (\$1,800) per annum, to be paid in equal monthly installments at the end of each month out of any funds in the county treasury not otherwise appropriated.

Section 2. The compensation of the Chief Clerk shall be paid by the county in addition to the clerk-hire allowance provided by law.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

J. B. BURKHALTER,

Representative, Cherokee County, Alabama.  
July 13-20-27 Aug 3

### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. B. Shropshire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Coosa River News, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and August 3, all in the year 1951.

J. B. SHROPSHIRE.

Sworn to and subscribed before me August 6, 1951.

VIRGIL M. SMITH,  
Notary Public, State at Large.

By Mr. Wright:

S. 593. To authorize each of the municipalities of the State having a population of not less than thirteen thousand nor more than sixteen thousand three hundred inhabitants to acquire by purchase any hospital and, as all or a part of the purchase price, to assume any indebtedness on such hospital and to agree to postpone the maturity date thereof and pay interest thereon or issue its bonds, revenue bonds, warrants, or notes, in order to secure funds to pay the purchase price thereof or at the time of purchase or later to finance extensions and improvements thereto and to provide for covenants and obligations in favor of the holders of such bonds, revenue bonds, warrants or notes; and to permit each such municipality to create a Board of Hospital Managers, as a self perpetuating body, to which such municipality may irrevocably delegate all powers, authority, functions and duties with respect to the management, operation and control of such hospital, and to provide for the election of the members of such board, the confirmation and removal of such members, the officers of the board, the compensation of members and officers of the board, the bylaws, powers, functions and duties of such board, and to limit the liability of the members of such board.

Committee on Local Legislation.

By Mr. Reneau:

S. 594. To further amend Section 1 of an Act approved May 20, 1935, entitled, "An Act to allow the Sheriff of Elmore County, Alabama, an additional deputy sheriff to that now provided by law, to fix the salary of said deputy and make the same payable out of the General Funds of Elmore County in monthly installments, said deputy Sheriff to be appointed by the Sheriff of Elmore County and to be located at Tallassee, Alabama, and shall be eligible to perform duties of his office anywhere in said County, and to require bond of said deputy sheriff and fix the amount thereof", as amended by Local Acts of 1939, page 177, approved August 25, 1939, and as further amended by Local Acts of 1949, page 62, approved June 2, 1949.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that at the present regular session of the Legislature of Alabama a certain bill will be introduced for passage and application will be made for its passage and enactment into law, the substance thereof being as follows:

#### A BILL TO BE ENTITLED AN ACT

To further amend Section 1 of an Act approved May 20, 1935 entitled, "An Act to allow the Sheriff of Elmore County, Alabama, an additional deputy sheriff to that now provided by law, to fix the salary of said deputy and make the same payable out of the General Funds of Elmore County in monthly installments, said deputy sheriff to be appointed by the Sheriff of Elmore County and to be located at Tallassee, Alabama, and shall be eligible to perform duties of his office anywhere in said County, and to require bond of said deputy sheriff and fix the amount thereof", as amended by Local Acts of 1939, page 177, approved August 25, 1939, and as further amended by Local Acts of 1949, page 62, approved June 2, 1949.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of an act approved May 20, 1935 entitled, "An Act to allow the Sheriff of Elmore County, Alabama, an additional

deputy sheriff to that now provided by law, to fix the salary of said deputy and to make the same payable out of the General Funds of Elmore County in monthly installments, said deputy sheriff to be appointed by the sheriff of Elmore County and to be located at Tallassee, Alabama, and shall be eligible to perform duties of his office anywhere in said County, and to require bond of said deputy sheriff and fix the amount thereof", as amended by Local Acts of 1939, page 177, approved August 25, 1939, and as further amended by Local Acts of 1949, page 62, approved June 2, 1949, be and the same is hereby amended so as to read as follows:

Section 1. That the sheriff of Elmore County is hereby allowed an additional deputy to the deputy or deputies now provided by law, which said deputy sheriff shall be appointed by the sheriff of Elmore County, Alabama and shall receive a salary of not exceeding \$225.00 per month, such salary to be fixed by the Court of County Commissioners of other governing body of the county, payable in monthly installments out of the General Fund of Elmore County, Alabama. Said deputy shall also be paid, in addition to his regular monthly compensation, for traveling in the performance of his official duties as said deputy at the rate of five cents per mile in all cases where he provides his own vehicle and pays for operating the same provided, however, that he is not paid more than \$100.00 per month for such traveling expenses. Said traveling expenses shall be paid each month upon presentation of claim therefor filed with the Court of County Commissioners of said County for the number of miles so traveled during the preceding month. Said deputy shall be eligible to perform the duties of deputy sheriff anywhere in said county and all traveling for which compensation is sought and is herein provided shall be under the direction of the sheriff of Elmore County, Alabama.

Section 2. That all provisions of said Local Acts approved May 20, 1935, August 25, 1939, and June 2, 1949, which are not in conflict herewith, are hereby retained.

Section 3. That all laws and parts of laws in conflict with this Act are hereby repealed.

Section 4. If any section or provision hereof is held to be invalid, the other parts of this Act shall nevertheless remain in full force and effect.

Section 5. That this Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.  
5july4t.

#### THE STATE OF ALABAMA ELMORE COUNTY

Before me the undersigned authority personally appeared W. H. Golson, who by me first being duly sworn deposes and says that he is the Publisher of The Wetumpka Herald, a weekly newspaper published at Wetumpka, in Elmore County, Alabama, and that the attached notice A Bill to be Entitled An Act—"An Act to allow the Sheriff of Elmore County, Alabama, an additional deputy sheriff." was published in said newspaper for 4 successive weeks towit: July 5, 12, 19, 26, 1951.

W. H. GOLSON,  
Publisher of The Wetumpka Herald.

Sworn to and subscribed before me this the 30 day of July, 1951.

ELAINE HOLLY,  
Notary Public.

By Mr. Reneau:

S. 595. To ratify, validate and confirm all payments of mileage and

salary heretofore made by the Court of County Commissioners of Elmore County to J. W. Holt as Deputy Sheriff of Elmore County under the provisions of Act No. 69, approved May 20, 1935 (Local Acts of 1935, page 7), as amended by Act No. 282, approved August 25, 1939 (Local Acts of 1939, page 177), and as further amended by Act No. 38, approved June 2, 1949 (Local Acts of 1949, page 62); and to provide that such payments to said deputy sheriff shall be deemed to be valid regardless of whether the said J. W. Holt resided at Tallassee, Alabama during the period of time when he received such payments.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that at the present regular session of the Legislature of Alabama a certain bill will be introduced for passage and application will be made for its passage and enactment into law, the substance thereof being as follows:

#### A BILL TO BE ENTITLED AN ACT

To ratify, validate and confirm all payments of mileage and salary heretofore made by the Court of County Commissioners of Elmore County to J. W. Holt as Deputy Sheriff of Elmore County under the provisions of Act No. 69, approved May 20, 1935 (Local Acts of 1935, page 7), as amended by Act No. 282, approved August 25, 1939 (Local Acts of 1939, page 177), and as further amended by Act No. 38, approved June 2, 1949, (Local Acts of 1949, page 62); and to provide that such payments to said deputy sheriff shall be deemed to be valid regardless of whether the said J. W. Holt resided at Tallassee, Alabama during the period of time when he received such payments.

Be It Enacted by the Legislature of Alabama:

Section 1. That all payments of mileage and salary heretofore made by the Court of County Commissioners of Elmore County, Alabama to J. W. Holt as deputy sheriff of Elmore County under the provisions of Act No. 69, approved May 20, 1935 (Local Acts of 1935, page 7), as amended by Act No. 282, approved August 25, 1939 (Local Acts of 1939, page 177), and as further amended by Act No. 38, approved June 2, 1949 (Local Acts of 1949, page 62), are hereby ratified, validated and confirmed. Such payments to said deputy sheriff are hereby declared to be valid regardless of whether the said J. W. Holt resided at Tallassee, Alabama during the period of time when he received such payments, the services for which he was so paid having been rendered.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.  
5 July 4t.

#### THE STATE OF ALABAMA ELMORE COUNTY

Before me the undersigned authority personally appeared W. H. Golsen, who by me first being duly sworn deposes and says that he is the Publisher of The Wetumpka Herald, a weekly newspaper published at Wetumpka, in Elmore County, Alabama, and that the attached notice A Bill to be Entitled An Act—To Ratify, Validate and Confirm all payments of mileage and salary made by the Court of County Commissioners of Elmore County to J. W. Holt as Deputy Sheriff of Elmore County. was



published in said newspaper for 4 successive weeks towit: July 5, 12, 19, 26, 1951.

W. H. GOLSON,  
Publisher of The Wetumpka Herald.

Sworn to and subscribed before me this the 30 day of July, 1951.

ELAINE HOLLY,  
Notary Public.

By Mr. Thagard:

S. 596. Relating to insurers not authorized to transact business in this State; providing for actions in this state against and for the service of process upon such insurers; and prescribing how a defense may be made by such insurers.

Committee on Judiciary.

By Mr. Boutwell:

S. 597. To transfer the fund appropriated by Act No. 559, S. 285, approved July 7, 1943 (General Acts, 1943, p. 551) to the State Building Commission, and to provide for the use thereof.

Committee on Finance and Taxation.

### BILLS ON THIRD READING

The Bill:

S. 497. To authorize the Governor, the Director of the Department of Industrial Relations, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State upon which it shall, at a cost not to exceed three million, two hundred fifty thousand dollars, construct, operate, and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to any Department, Board, Bureau, Commission, or Agency of the State; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by Departments, Boards, Bureaus, Commissions, and agencies of the State of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities; and to repeal Act No. 146, approved June 23, 1945, General Acts of 1945, page 182, Act No. 147, approved June 23, 1945, General Acts of 1945, page 188 and as amended by Act No. 647, approved October 9, 1947, General Acts of 1947, page 500, Act No. 557, approved September 8, 1949, General Acts of 1949, page 868, and Act No. 558, approved September 8, 1949, General Acts of 1949, page 869, and all other laws or parts of laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 29; Nays 0.

*Yeas:*

Messrs.:	Foster	Locke (Perry)	Robison
Andrews	High	McCary	Skidmore
Benson	Hollis	Norrell	Smith
Bonner	Johnson (Chambers)	Phillips	Sollie
Boutwell	Johnston (Mobile)	Pinson	Thagard
Clayton	Jones	Reneau	Todd
Fant	Larkins	Richardson	Wright
Farmer	Locke (Choctaw)		

—29

*Nays:*

—0

### RESOLUTION

The Rules Committee reported the following Resolution, to-wit:

S. R. 59. Resolved by the Senate that H. B. 262 on page 33 of the Calendar shall be a paramount and continuing order of business immediately ahead of bills now on Special Order and Regular Calendar.

Mr. Todd moved that further consideration of the Resolution be indefinitely postponed, and on motion of Mr. Clayton the motion to indefinitely postpone was laid on the table.

Yeas 21; Nays 11.

*Yeas:*

Messrs.:	Eddins	Johnston (Mobile)	Skidmore
Benson	Farmer	Larkins	Sollie
Bonner	Faulkner	McCary	Thagard
Boutwell	Golson	Pinson	Whatley
Byars	High	Richardson	Wright
Clayton	Hollis		

—21

*Nays:*

Messrs.:	Johnson (Chambers)	Locke (Perry)	Robison
Andrews	Jones	Phillips	Smith
Foster	Locke (Choctaw)	Reneau	Todd

—11

And said Resolution was then adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 419. To amend Section 55 of Title 17 of the 1940 Code of Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Davis:

H. 934. Relating to St. Clair County: To require the clerk in the branch office of the Judge of Probate to serve as clerk of the county governing body at the branch courthouse and prescribing his compensation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE  
A BILL  
TO BE ENTITLED  
AN ACT

Relating to St. Clair County: To require the clerk in the branch office of the Judge of Probate to serve as clerk of the county governing body at the branch courthouse and prescribing his compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The clerk in the branch office of the Judge of Probate of St. Clair County shall serve as clerk of the governing body of St. Clair County at the branch courthouse.

Section 2. The clerk in the branch office of the Judge of Probate of St. Clair County shall receive a salary of not less than one thousand dollars (\$1,000) nor more than three thousand dollars (\$3,000) per annum, the exact amount to be fixed by the Judge of Probate with the approval of the governing body of the county. Such salary shall be payable in equal monthly installments upon a warrant drawn by the Probate Judge on the general funds of the county. The salary herein provided for such clerk shall be in lieu of all other compensation heretofore provided for him.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

pcn June 28—July 5-12-19, 1951

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marie Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Associate Editor of the Pell City News, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, July 12, and July 19, all in the year 1951.

MARIE SMITH.

Sworn to and subscribed before me July 26, 1951.

LOUISE G. HULLETT,  
Notary Public.

Also:

By Messrs. Russell and Roberts:

H. 937. To fix the compensation of the members and the Chairman of the Board of Revenue and Control of Morgan County, Alabama, and to provide the period during which this act shall be effective.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To fix the compensation of the members and the Chairman of the Board of Revenue and Control of Morgan County, Alabama, and to provide the period during which this act shall be effective.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the Board of Revenue and Control of Morgan County, Alabama shall each receive an annual salary of three thousand six hundred dollars (\$3,600), to be paid in equal monthly installments on the second Monday in each month, in addition to the mileage now allowed them by law for attending regular meetings of said Board.

Section 2. The Chairman of the Board of Revenue and Control of Morgan County, Alabama shall receive as compensation for his services an annual salary of five thousand two hundred dollars (\$5,200), to be paid in monthly installments on the second Monday in each month.

Section 3. This Act shall become effective on October 1, 1951.

J. B. RICHARDSON,  
Senator 2nd District.

NOBLE J. RUSSELL,  
LUTHER ROBERTS,  
Representatives from Morgan County.

July 4—11—18—25

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the \_\_\_\_\_, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25th, all in the year 1951.

B. C. SHELTON.

Sworn to and subscribed before me July 25th, 1951.

R. H. JERVIS,  
Notary Public.

Also:

By Messrs. Roberts and Russell:

H. 938. To fix the salary of the County Superintendent of Education of Morgan County, Alabama, at the sum of Forty-eight Hundred Dollars (\$4800.00), beginning upon the approval of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MORGAN

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To fix the salary of the County Superintendent of Education of Morgan County, Alabama, at the sum of of Forty-eight Hundred Dollars (\$4800.00), beginning upon the approval of this Act.

Be It Enacted by the Legislature of Alabama:

That, beginning with the approval of this Act by the Governor, the salary of the County Superintendent of Education of Morgan County shall be the sum of Forty-eight Hundred Dollars (\$4800.00) per year, and shall be paid by the County Board of Education of Morgan County, Alabama, at the time and in the manner provided by the general laws of this State for the payment of salaries of County Superintendents of Education.

J. B. RICHARDSON,  
Senator, 2nd District.

NOBLE J. RUSSELL,  
LUTHER ROBERTS,  
Representatives from Morgan County.

July—6—13—20—27

STATE OF ALABAMA  
MORGAN COUNTY

Before me, the undersigned authority in and for said State and County, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says on oath as follows:

Affiant is and has been during the entire time the above and foregoing notice was published, the publisher of The Decatur Daily, a newspaper published in and of general circulation in Morgan County, Alabama, and which has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Decatur, Alabama, the City in which it is published, for more than fifty-two consecutive weeks prior to the date of the first publication of the foregoing notice; that the foregoing notice was published in said newspaper, The Decatur Daily, once a week for four consecutive weeks, having been published in the issues of said paper of July 6, 1951, July 13, 1951, July 20, 1951 and July 27, 1951; and that said publication was without cost to the State of Alabama.

B. C. SHELTON.

Sworn to and subscribed before me this 30th day of July, 1951.

ROSEMARY PEARSON,  
Notary Public.

Also:

By Messrs. Butler, Weathers, Merrill:

H. 947. To make it unlawful to hunt, take, catch, kill or to attempt to take, catch or kill pheasant or grouse in Clay, Cleburne or Randolph Counties; and prescribing penalties for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To make it unlawful to hunt, take, catch, kill or to attempt to take, catch or kill pheasant or grouse in Clay, Cleburne or Randolph Counties; and prescribing penalties for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful to hunt, take, catch kill or to attempt to take, catch or kill pheasant or grouse in Clay, Cleburne or Randolph Counties at any time.

Section 2. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$50.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months. Any person convicted the second time shall be punished by a fine of not less than \$100.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months. Any person convicted the third or subsequent times shall be punished by a fine of not less than \$250.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months.

Section 3. All laws or parts of laws which conflict with the provisions of this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6 28 4t

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CLAY

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. L. Proctor, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner of the Lineville Tribune, a newspaper of general circulation published in Clay County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28, 7-5, 7-12, and 7-19, all in the year 1951.

C. L. PROCTOR.

Sworn to and subscribed before me 30th July, 1951.

JAMES H. GOSS,  
Notary Public.

A BILL  
TO BE ENTITLED  
AN ACT

To make it unlawful to hunt, take, catch or kill pheasant or grouse in Clay, Cleburne or Randolph Counties; and prescribing penalties for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful to hunt, take, catch, kill or to at-

tempt to take, catch or kill pheasant or grouse in Clay, Cleburne or Randolph Counties at any time.

Section 2. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$50.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months. Any person convicted the second time shall be punished by take, catch, kill or to attempt to a fine of not less than \$100.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months. Any person convicted the third or subsequent times shall be punished by a fine of not less than \$250.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months.

Section 3. All laws or parts of laws which conflict with the provisions of this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. (7-26B)

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred Eiland, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the year 1951.

FRED EILAND.

Sworn to and subscribed before me 30th July, 1951.

JERRE P. WATSON,  
Notary Public.

#### A BILL TO BE ENTITLED AN ACT

To make it unlawful to hunt, take, kill or to attempt to take, catch or kill pheasant or grouse in Clay, Cleburne or Randolph Counties; and prescribing penalties for violation of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful to hunt, take, catch, will or to attempt to take, catch or kill pheasant or grouse in Clay, Cleburne or Randolph Counties at any time.

Section 2. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$50.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months. Any person convicted the second time shall be punished by a fine of not less than \$100.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months. Any person convicted the third or subsequent times shall be punished by a fine of not less than \$250.00 nor more than

\$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months.

Section 3. All laws which conflict with the provisions of this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 28—4t.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner of the Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28, 7-5, 7-12, and 7-19, all in the year 1951.

R. T. BAILEY.

Sworn to and subscribed before me July 30, 1951.

J. B. TRAYLOR,  
Circuit Clerk.

Also:

By Mr. Tumlin:

H. 931. Relating to Calhoun County: To abolish the County Commission of Calhoun County and create in lieu thereof the Board of Revenue of Calhoun County; providing for its organization and procedures and for the selection, term, compensation, expenses, powers and duties of its chairman and associate members; dividing the county into districts; requiring that the county roads and bridges be constructed, repaired and maintained on a county unit basis, requiring the adoption of a budget for road and bridge construction and repair and prescribing penalties for failure to maintain the roads on a county unit basis or to follow the budget; providing for county purchases and that the Chairman of the Board shall be Purchasing Agent for the county; making it unlawful to use county property or personnel for private purposes or on private property and prescribing penalties and a forfeiture therefor; repealing Act No. 420, S. 387, approved September 13, 1939 (Local Acts of Alabama, 1939, page 252) and Act No. 186, H. 499, approved July 24, 1947 (Local Acts of Alabama, 1947, page 102); and making the Act operative upon its approval by a majority of the voters of Calhoun County voting in a referendum.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

##### STATE OF ALABAMA COUNTY OF CALHOUN

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:



A BILL  
TO BE ENTITLED  
AN ACT

Relating to Calhoun County: To abolish the County Commission of Calhoun County and create in lieu thereof the Board of Revenue of Calhoun County; providing for its organization and procedures and for the selection, term, compensation, expenses, powers and duties of its chairman and associate members; dividing the county into districts; requiring that the county roads and bridges be constructed, repaired and maintained on a county unit basis, requiring the adoption of a budget for road and bridge construction and repair and prescribing penalties for failure to maintain the roads on a county unit basis or to follow the budget; providing for county purchases and that the chairman of the Board shall be Purchasing Agent for the county; making it unlawful to use county property or personnel for private purposes or on private property and prescribing penalties and a forfeiture therefor; repealing Act No. 420, S. 387, approved September 13, 1939 (Local Acts of Alabama, 1939, page 252) and Act No. 186, H. 499, approved July 24, 1947 (Local Acts of Alabama, 1947, page 102); and making the Act operative upon its approval by a majority of the voters of Calhoun County voting in a referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Commission of Calhoun County is hereby abolished and there is created in lieu thereof the Board of Revenue of Calhoun County, to be composed of a chairman and four associate members.

Section 2. The chairman of the Board shall be elected from the county at large by the qualified electors of the entire county. One associate member of the Board shall be elected from each district created and established by Section 3 of this Act by the qualified electors of such district. Each elector shall be entitled to vote only for a candidate for associate member from the district in which the elector resides. A candidate for chairman of the Board must be a qualified elector and legal resident of Calhoun County. Each candidate for associate member of the Board must be a qualified elector and legal resident of the district which he seeks to represent. The members of the Board from districts 2 and 4 shall be elected at the general election of 1952 and every four years thereafter. The chairman and the members of the Board from districts 1 and 3 shall be elected at the general election of 1954 and every four years thereafter. The chairman and associate members of the Board shall hold office for terms of four years from the first day of January next after their election and until their successors are elected and qualified. Vacancies on the Board shall be filled for the unexpired term by appointment of the Governor. Any person appointed to fill a vacancy must have the same qualifications as to residence as the elected members. Until the election of a chairman of the Board as provided herein the present chairman of the County Commission of Calhoun County shall be chairman of the Board. Until the election of members of the Board from districts 1 and 3 as provided herein the present members of the County Commission for the Northern District and Southern District shall serve as members of the Board from districts 1 and 3, respectively. Immediately upon the effective date of this Act the Governor shall appoint a qualified elector and legal resident of district 2 and a qualified elector and legal resident of district 4 to serve as members of the Board from those districts, respectively, until the election of members from those districts as provided herein.

Section 3. For the purposes of this Act Calhoun County is hereby divided into four districts as follows: District 1 shall be composed of Precincts 7, 8, 9, 10, 11 and 16; District 2 shall be composed of Precincts

1, 2, 6, 18, 19, 22 and 24; District 3 shall be composed of Precincts 4, 5, 12, 13, 14, 17 and 21; and District 4 shall be composed of Precincts 3, 15, 20 and 23.

**Section 4.** The Board shall hold regular meetings on the first Monday of each month and may hold special meetings upon the call of the chairman of any three members of the Board. Three members of the Board shall constitute a quorum for the transaction of business. The Board shall keep complete and accurate written minutes of all meetings, business transacted and resolutions, and there shall be recorded therein the vote of each individual member. At each meeting the minutes of the previous meeting shall be read and all minutes shall be open to public inspection at reasonable times.

**Section 5.** The chairman of the Board shall devote his entire time to the duties of his office and shall receive an annual salary of six thousand dollars for the performance of his duties as chairman and for serving as Purchasing Agent as hereinafter provided. The associate members of the Board shall each receive an annual salary of twelve hundred dollars, and in addition thereto shall receive an expense allowance of fifty dollars per month. The salaries of the chairman and associate members of the Board shall be paid at the time and in the manner that the salaries of other county officials and employees are paid.

**Section 6. a)** The roads and bridges of the county shall be constructed, repaired and maintained on the basis of the county as a unit and without regard to district lines. No county personnel or equipment shall be allocated or used in the construction of roads and bridges on any basis other than the county as a unit. The board shall annually adopt a detailed financial budget to be followed during the ensuing year in the construction, repair and maintenance of the roads and bridges of the entire county. The budget shall specify which roads and bridges are to be repaired and where new roads and bridges are to be located and constructed, and shall allocate a specific amount or portion of county funds for such repairs and construction. The budget shall not be departed from except in cases of extreme emergency upon a unanimous vote of the Board.

**b)** Any member of the Board who fails to observe the provisions of this Section shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than one hundred nor more than one thousand dollars, and may also be imprisoned in the county jail for not more than six months.

**Section 7.** Except as otherwise provided herein, the Board shall have all the jurisdiction and powers which are or may be vested in courts of county commissioners or boards of revenue by the general laws of the State, and the members of the Board shall perform all the duties and services and exercise all the powers which are or may be provided by law for members of courts of county commissioners or boards of revenue.

**Section 8. a)** The chairman of the Board shall be Purchasing Agent for the county. He shall purchase for the county officials, the county offices and every department of the county, all books, stationery, supplies, office equipment, printing and printed matter, blanks, forms, machinery, equipment, including road equipment, and machinery, tools and materials and supplies for the court house, jails and bridges. It shall be the duty of the Purchasing Agent to purchase the same at the best prices obtainable, receiving competitive bids on all purchases exceeding one hundred dollars (\$100.00).

**b)** Such books, stationery, supplies, office equipment, printing and printed matter, blanks, forms, machinery, equipment, including road

equipment and machinery, tools and materials, and materials and supplies for the court house, jails and bridges, shall be furnished only upon written requisition setting forth the articles needed and signed by the officer for whose office said articles are requested, and thereupon the Purchasing Agent shall make inquiry and ascertain whether the articles are necessary before purchasing the same, and all invoices of such purchases, with said requisition attached, shall be kept on file in the office of the chairman of the Board of Revenue, in alphabetical order as a permanent record subject to public inspection at all reasonable times.

c) The Purchasing Agent shall keep a current inventory of all property owned or leased by the county, where such property is situated and in whose possession or under whose control it is.

Section 9. No member of the Board of Revenue or the County Engineer shall permit or authorize the use, at any time, for hire or otherwise, of any county property, including road machinery or equipment, or any county personnel for private purposes or on private property. If any member of the Board or the County Engineer violates the provisions of this Section, he shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than one hundred dollars nor more than one thousand dollars, and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than sixty days; he shall also forfeit to the county the sum of one thousand dollars, such sum to be recovered in a suit instituted by the county solicitor on his own initiative or upon the complaint of any citizen of the county. It is provided, however, that if the suit is instituted upon complaint of a citizen of the county, one-half of the amount recovered shall be paid to such person.

Section 10. Act No. 420, S. 387, approved September 13, 1939 (Local Acts of Alabama, 1939, page 252) and Act No. 186, H. 499, approved July 24, 1947 (Local Acts of Alabama, 1947, page 102) and all other laws or parts of laws which conflict with the provisions of this Act are repealed.

Section 11. The provisions of this Act are severable. Should any part of the Act be declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. The substantial provisions of this Act shall become operative only if approved by a majority of the electors of Calhoun County voting in a referendum to be held on the date of the first county-wide primary, special or general election held after the passage of this Act. The governing body of Calhoun County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. \_\_\_\_\_, of the 1951 Regular Session of the Legislature, approved the \_\_\_\_\_ day of \_\_\_\_\_, 1951 be adopted? Yes ( ) No ( )." If a majority of the votes cast at the election are "Yes," the provisions of this Act shall become operative immediately. If the majority are "No," the Act shall have no effect.  
July 2, 9, 16, 23, 1951.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on July 2, 9, 16, and 23, all in the year 1951.

RALPH W. CALLAHAN.

Sworn to and subscribed before me July 28, 1951.

CLARA B. WRIGHT,  
Notary Public.

Also:

By Messrs. Dawkins, Sellers, Tennille, and Hall:

H. 950. To amend Section 3 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819), which establishes a county-wide personnel system for all counties of the state having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

Also:

By Messrs. Payne and Leonard:

H. 955. To fix the salary of the Probate Judge of all counties in the State having a population of not less than 63,750 nor more than 72,500 according to the preliminary count of the 1950 Federal Census or any subsequent decennial census of the United States.

Also:

By Messrs. Shelton and Morgan (Tuscaloosa):

H. 958. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in counties having populations of not less than 94,000 nor more than 110,000 inhabitants; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Also:

By Messrs. Dumas, Meeks, Huey, Kaul:

H. 939. To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act," as amended by Act No. 440, General Acts of Alabama of 1949, page 647, approved August 23, 1949.

Also:

By Messrs. Payne and Leonard:

H. 936. To provide a civil service system governing the appointment, removal, promotion, demotion, tenure and official conduct of the employees of the City of Sylacauga, including the chiefs and superin-

tendents of all departments, and excluding the common laborers; providing for the examination and appointment and promotion of members of the departments on a competitive merit basis; providing for the establishment of a Civil Service Board of Sylacauga composed of three members; providing for the appointment of the members of the Board by the Governor, prescribing their qualifications and fixing their compensation; prescribing the powers and duties of the Board and authorizing it to make rules and regulations for the administration of the Act; providing for hearings before the Board in cases of demotions or dismissals; prohibiting political activities by covered employees of the City of Sylacauga and prohibiting rewards to covered employees thereof for political support; requiring members of the police department to make bond; and prescribing penalties for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

To provide a civil service system governing the appointment, removal, promotion, demotion, tenure and official conduct of the employees of the City of Sylacauga, including the chiefs and superintendents of all departments, and excluding the common laborers; providing for the examination and appointment and promotion of members of the departments on a competitive merit basis; providing for the establishment of a Civil Service Board of Sylacauga composed of three members providing for the appointment of the members of the Board by the Governor, prescribing their qualifications and fixing their compensation; prescribing the powers and duties of the Board and authorizing it to make rules and regulations for the administration of the Act; providing for hearings before the Board in Cases of demotions or dismissals; prohibiting political activities by covered employees of the City of Sylacauga and prohibiting rewards to covered employees thereof for political support; requiring members of the police department to make bond; and prescribing penalties for violations of the Act.

Attest:

C. J. JOHNSON, JR.,  
City Clerk.

ED J. HOWARD,  
Mayor.  
J5 4tc

### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. A. Moody, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sylacauga Advance, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the year 1951.

W. A. MOODY.

Sworn to and subscribed before me July 26, 1951.

HENRY TURNEY,  
Notary Public.

Also:

By Messrs. Dumas, Adams (Jefferson), Meeks, Huey and Kaul.

H. 940. To create a fund which shall be known as "Solicitor's Fund, Bessemer Division", to provide for the appropriation of monies to said fund from the Solicitor's Fund of Jefferson County, Alabama; to authorize the expenditure of said fund by the Deputy Circuit Solicitor elected by the people in and for the Bessemer Division of Jefferson County and to provide for the purposes for which said fund may be so expended.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that application will be made, without cost to the State, to the present session of the Legislature of Alabama, for the immediate introduction and passage of a bill, the substance of which is in words and figures as follows:

#### AN ACT

To create a fund which shall be known as Solicitor's Fund, Bessemer Division," to provide for the appropriation of monies to said fund from the Solicitor's Fund of Jefferson County, Alabama; to authorize the expenditure of said fund by the Deputy Circuit Solicitor elected by the people in and for the Bessemer Division of Jefferson County, and to provide for the purposes for which said fund may be so expended.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. That there is hereby appropriated out of the Solicitor's Fund of Jefferson County, Alabama, monthly, on the 10th day of each month, a sum of money equal to the solicitor's fees paid into said fund by or from the Bessemer Division of the Circuit Court of Jefferson County during the next preceding calendar month. Said monies so appropriated out of said solicitor's fund shall remain in the custody of the Treasurer of Jefferson County, shall be known as "Solicitor's Fund, Bessemer Division," and shall be paid out by the Treasurer of said County upon warrants drawn upon said Treasurer by the Deputy Circuit Solicitor elected by the people in and for the Bessemer Division of said County; and said Deputy Circuit Solicitor shall have the power and authority to employ any assistance or assistants and to incur any expenses he may deem necessary to properly administer justice, including the payment of any reporters for taking of statements or transcribing testimony or reporting the preliminary trial of felonies in the Bessemer Civil and Misdemeanor Court, and all such expenses shall be paid out of said "Solicitor's Fund, Bessemer Division," on warrants drawn by said Deputy Circuit Solicitor upon said Solicitor's Fund, provided there is a sufficient amount of monies in said fund to pay said compensation or expenses at the time same is due under the provision of this act.

Section 2. All laws and parts of laws in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. This act shall become effective as to all of its provisions as of June 30, 1951, upon its passage and approval by the Governor, or upon its otherwise becoming law.

THE BESSEMER ADVERTISER.

July 6-13-20-27, 1951.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for State and County aforesaid, personally appeared: B. M. McElroy, who being duly

sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for 4 weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: July 6-13-20-27 1951 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,  
Editor-Publisher.

Subscribed and sworn to before me this the 27th day of July, 1951.

W. E. MILLER,  
Notary Public.

Also:

By Messrs. Summerlin, Kendall and Brannan:

H. 952. Relating to teachers; amending Section 361, Title 52, Code of Alabama (1940), as amended by the Act approved June 28, 1943.

Also:

By Mr. Miller:

H. 883. To amend Section 10 of Title 25 of the Code of Alabama of 1940 relating to commissioners or employees of Municipal Authorities interested in property, materials or services in connection with any housing project.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 934, 937, 938, 947, 931, 950, 955, 958, 939, 936 and 940—To the Committee on Local Legislation.

H. B. 952—To the Committee on Education.

H. B. 883—To the Committee on Municipalities and Municipal Organizations.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Faulk:

H. 390. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of office and compensation of members of county boards of equalization.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 390—To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Thomas:

H. 724. To amend Section 776, Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act No. 56, General Acts of Alabama 1947, page 24, approved July 7, 1947.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 724—To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Oden:

H. 665. To amend Sections 2 and 3 of Act No. 122 of the General Acts of the Alabama Legislature of 1951 entitled "To Propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Franklin County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Franklin County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities".

Also:

By Mr. Coburn:

H. 758. To propose an amendment to the Constitution of Alabama prohibiting the repeal by the Legislature of Act Number 485 adopted at the 1949 Regular Session of the Legislature, which levied a sales tax and a use tax in Colbert County, and prohibiting the amendment of said Act in any respect so as to alter the distribution of the revenues derived from said taxes, while there are outstanding any warrants heretofore or hereafter issued by any board of education in said county for the payment of which said revenues, or any share or part thereof, have heretofore or may hereafter be pledged.



Also:

By Messrs. Roberts and Russell:

H. 914. To amend Sections 10, 14, and 16 of an act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as amended.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that at the present session of the Legislature of Alabama a bill substantially as follows will be introduced and application for its passage and enactment will be made.

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 10, 14, and 16 of an act approved September 24, 1919, entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. That Sections 10, 14, and 16 of the act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as amended by the Act approved July 7, 1947, be and the same are hereby amended so as to read as follows:

Section 10. That the judge of said court shall receive a salary of Four Thousand Eight Hundred Dollars per annum, payable in equal monthly installments at the end of each month out of the county treasury.

Section 14. The Sheriff of Morgan County shall, in person or by a deputy, or deputies appointed by him, said appointment to be approved by the Judge of the Morgan County Court, be required to attend upon said court, and preserve order, and execute all writs or process, and perform such other duties, in all respects as in the circuit courts of this state, and for himself and each deputy required for attendance upon the sessions of the said court, he shall receive the same amount allowed for the circuit court, payable out of the county treasury upon his warrant, approved by the presiding judge, provided that the sheriff and his deputies shall not receive pay except for the time that the court is actually in session, and none of which compensation to the deputies shall be shared in by the sheriff.

Section 16. The judge of said court shall appoint a competent shorthand reporter to perform the duties of official court reporter of said court, who shall hold office at the pleasure of said judge and who shall receive a salary of One Thousand Eight Hundred Dollars per annum, payable in equal monthly installments out of the county treasury, on the certificate of the judge of said court. In all criminal cases and causes pending on the law side of said court there shall be taxed as part of the cost of the cause a reporter's fee of Three Dollars in each case, to be collected as other cost and paid by the clerk of said court into the county treasury for the benefit of the general fund. The said court reporter shall have authority to administer oaths and shall be an officer of the court and shall not be related to the judge of said court within the fifth degree.

Section 2. This act shall become effective on the first day of the month following its approval by the Governor.

NOBLE J. RUSSELL  
LUTHER ROBERTS

Representatives, Morgan County, Alabama

June 19-26—July 3-10.

### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1951.

B. C. SHELTON.

Sworn to and subscribed before me July 27th, 1951.

R. H. JERVIS,  
Notary Public.

Also:

By Mr. Oden:

H. 919. To fix the salary and prescribe the duties of the Solicitor of the Law and Equity Court of Franklin County, Alabama; and to amend an act approved September 8, 1923, Local Acts of the Legislature of Alabama 1923, page 272, as amended by act approved April 15, 1936, General and Local Acts of the Legislature of Alabama of 1936, page 69 so as to conform to the provisions of this act.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

Notice is hereby given that the following bill will be offered for passage in the present (1951) session of the Legislature of Alabama:

### A BILL TO BE ENTITLED AN ACT

To fix the salary and prescribe the duties of the Solicitor of the Law and Equity Court of Franklin County, Alabama; and to amend an

act approved September 8, 1923, Local Acts of the Legislature of Alabama 1923, page 272, as amended by act approved April 15, 1936, General and Local Acts of the Legislature of Alabama of 1936, page 69, so as to conform to the provisions of this act.

Section 1—The Solicitor of the Law and Equity Court of Franklin County, Alabama, shall receive a salary of \$2100.00 per year, payable \$175.00 per month, out of the County Treasury of said County, on warrant drawn by the officer of said County authorized by law to draw the same.

Section 2—In addition to the duties now required by law of the Solicitor of the Law and Equity Court of Franklin County, Alabama, he shall perform the following additional duties;

A. He shall, when requested so to do by the Judge of said Court, carefully read and check the transcript of evidence in criminal cases appealed from said Law and Equity Court to the Court of Appeals or to the Supreme Court of Alabama, and call to the attention of the Trial Judge any error or discrepancy that may appear in said transcript of evidence.

B. He shall attend all hearings in said Court on any application for probation and furnish the Trial Judge all information in his possession concerning the application for probation, and shall also, when requested so to do by the Circuit Solicitor of the Circuit including Franklin County, attend hearings before the Circuit Judge on applications for probation in the Circuit Court of Franklin County, and furnish the Circuit Judge hearing such application with all information in his possession concerning the application for probation.

Section 3—The act approved September 8, 1923, Local Acts of the Legislature of Alabama of 1923, page 272, as amended by Act approved April 15, 1936, General and Local Acts of the Legislature of Alabama of 1936, page 69, is hereby amended so as to conform to the provisions hereof.

Section 4—This act shall take effect immediately upon its passage and approval by the Governor, or otherwise becoming a law.

6 28 4tc

## STATE OF ALABAMA FRANKLIN COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. C. GILES, who, being by me first duly sworn, deposes and says that he is publisher of the Franklin County Times, which is and has been during the times herein mentioned, a newspaper of general circulation published in Russellville, Franklin County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in said newspaper once a week for four successive weeks, appearing in the issues of said newspaper published on the 29th day of June, and 5th and 12th and 19th days of July, all in the year 1951, and that said publication was made without cost to the State of Alabama.

M. C. GILES,  
Publisher.

Sworn to and subscribed before me, this the 20 day of July, 1951.

J. B. WEATHERFORD,  
Notary Public.

My Commission Expires Feb. 16, 1952.

Also:

By Messrs. Miller and Hawkins (Etowah):

H. 921. Relating to cities having populations of not less than 50,000 nor more than 100,000 inhabitants; creating and establishing within such cities a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees of such cities.

Also:

By Messrs. Fite (Walker) and Black:

H. 830. To levy an additional tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Walker County, Alabama, for any use gasoline as defined by Section 646 of Title 51 of the 1940 Code of Alabama, and to provide the method of collecting it and to prescribe and restrict the use to which it may be applied.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

Notice is hereby given that the following bill will be introduced in the present session of the Legislature of Alabama and its passage applied for:

### A BILL TO BE ENTITLED AN ACT

To levy an additional tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Walker County, Alabama, for any use gasoline as defined by Section 646 of Title 51 of the 1940 Code of Alabama and to provide the method of collecting it and to prescribe and restrict the use to which it may be applied.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. That in addition to all other taxes and licenses there is hereby levied and every distributor, refiner, retail dealer or storer of gasoline in Walker County, Alabama, as they are defined by Section 646 of Title 51 of the 1940 Code of Alabama, shall collect and pay over to the State Department of Revenue, for the use of Walker County, Alabama, an excise tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in said County for any use gasoline as defined in said Section; provided, however, that this excise tax shall not be levied nor paid on the sale of gasoline in interstate commerce nor to the Government of the United States nor its agencies nor direct to the State of Alabama, and provided further that where the said tax of one cent per gallon upon the sale, distribution, storage, or withdrawal from storage of such gasoline in said County shall have been paid by a distributor, refiner, or by retail dealer or storer, such payment shall be sufficient, the intention being that the said one cent additional tax shall be paid but once. And provided further that this excise tax shall not be levied nor paid on gasoline which is withdrawn from storage within said County for delivery only to a point or points without said County when the distributor or seller of such gasoline prepares and files with the State Department of Revenue written statements sworn to and subscribed in such form as may be required by the State Department of Revenue showing the name and address of the person to whom said gasoline is or has been delivered by said distributor, and the volume and kind of said gasoline, and the dates of such withdrawals, and the point or points without the County to which said gasoline is delivered or to be delivered.

Section 2. The said additional tax of one cent a gallon shall be collected by the State Department of Revenue in the same way and man-

ner and at the same time that it collects gasoline taxes under Sections 646 to and including Section 665, of Title 51 of the 1940 Code of Alabama, as amended, and all remedies and powers provided by said Sections 646 to and including Section 665 shall apply to the enforcement of the collection of the additional tax levied by this Act, and all the provisions of said Sections with reference to the filing of reports, examination of books, and penalties shall apply to the additional levy made by this Act.

Section 3. The State Department of Revenue shall prepare and distribute such blank reports, forms, and other information as may be necessary for collection of the additional tax levied herein and shall have all the authority and duties in connection with the additional tax levied as are now given by law to the said Department of Revenue for the collection of taxes levied by Section 647 of Title 51 of the 1940 Code of Alabama. The State Department of Revenue shall charge Walker County for collecting the additional tax levied by this Act a percentage of the said tax so collected on the basis that the cost of collecting the tax hereby levied bears to the total cost of collecting the total State gasoline taxes. The balance of the tax collected by it under this Act shall be certified to the State Treasurer between the first and fifteenth of each calendar month as belonging to Walker County, Alabama, and the State Treasurer shall thereupon issue his warrants on the State Treasury payable to Walker County, Alabama for the amounts so certified.

Section 4. All money received by Walker County under the provisions of this Act shall be placed by the Treasurer of said County in a separate fund or account to be designated "One-cent gasoline tax fund." It shall be used exclusively for the construction, maintenance, and supervision of black top, hard-surfaced roads and the construction, maintenance and supervision of permanent type bridges, and may be used to match State or Federal funds or grants and State and Federal funds or grants for the construction of public roads and bridges. It shall not be applied to nor pledged for any other purpose and no money can be borrowed against it.

Section 5. If any provision of this Act should be adjudged to be void that shall not affect or impair the validity of any other provision hereof. If any part of the tax levied hereby should be adjudged invalid that shall not affect or impair the validity of any other tax levied hereby.

Section 6. This Act shall take effect immediately upon its passage and approval or its otherwise becoming law.

CHESTER BLACK,  
ARTHUR FITE, JR.,  
Members of House of Representatives  
from Walker County.

6-28-4tc

#### AFFIDAVIT

STATE OF ALABAMA  
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared W. I. Dove, Pub. of the Walker County Times, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice, who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Walker County Times

for 4 consecutive weeks, namely; June 28, July 5, July 12 and July 19, 1951.

WALKER COUNTY TIMES,  
By W. I. DOVE,  
Publisher.

Sworn to and subscribed before me, this 20 day of July, 1951.

MRS. ANNIE DAVIS,  
Notary Public.

Also:

By Mr. Davis:

H. 933. Relating to St. Clair County: To impose extra, new, and additional duties upon the Tax Assessor and Tax Collector and providing additional compensation for the performance thereof.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to St. Clair County: To impose extra, new, and additional duties upon the Tax Assessor and Tax Collector and providing additional compensation for the performance thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Tax Assessor and the Tax Collector of St. Clair County shall, in addition to their other duties, maintain an office at the branch court house in Pell City from October 1 through December 31 of each year for the purpose of assessing and collecting taxes.

Section 2. The Tax Assessor and Tax Collector shall each receive an allowance of four hundred fifty dollars (\$450) per annum, to be paid out of the St. Clair County treasury, for performing the duties imposed by this Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

pcn June 28—July 5-12-19, 1951

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marie Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Associate Editor of the Pell City News, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, July 12, and July 19, all in the year 1951.

MARIE SMITH.

Sworn to and subscribed before me July 26, 1951.

LOUISE G. HULLETT,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 665—To the Committee on Constitution and Constitutional Revision and Amendments.

H. B.'s 758, 914, 919, 921, 830 and 933—To the Committee on Local Legislation.

(The above bills, H. B. 665 and H. B. 758, were read at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Merrill:

H. J. R. 91. WHEREAS, there is a pressing need for a survey and analysis of the judicial system of the State of Alabama looking towards the establishment of a more perfect system,

AND, WHEREAS, the Alabama State Bar in recognition of this fact is undertaking a comprehensive program in this regard and desires to be aided and advised by a committee from the judiciary committees of both the House of Representatives and the Senate of Alabama,

NOW, THEREFORE, BE IT JOINTLY RESOLVED by the House of Representatives and the Senate of Alabama, that the Chairman of the Judiciary Committee of the House of Representatives and the Chairman of the Judiciary Committee of the Senate, together with three other members of each such committee, to be appointed by their respective chairmen, do constitute a special committee of the legislature of the State of Alabama to consider all matters concerning the judicial system of this state, the organization of the courts, both trial and appellate, the consolidation of courts, and their jurisdiction, procedure, officers and terms, juries and jury commissions, times of meeting, the number of circuits, the number and locations of courts inferior to the circuit courts, the work performed by the judges and officials of all courts and the costs thereof. This committee may work independently, or in conjunction with the Alabama State Bar and shall report by bill or otherwise at the regular session of the Legislature to be held in 1953. It may also report at any time its findings and recommendations to the Board of Commissioners of the Alabama State Bar or to its Annual Convention.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 91, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 512. To amend Section 187 of Title 13, Code of Alabama of 1940 as amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Robison	
Andrews	Fant	Larkins	Smith	
Benson	Farmer	McCary	Sollie	
Boutwell	Golson	Phillips	Thagard	
Byars	High	Pinson	Todd	
Clayton	Hollis			—21

Nays:

—0

## MOTION TO RECONSIDER

On motion of Mr. Faulkner the Senate reconsidered the vote by which the Bill:

S. 355. To provide that any person convicted of a felony and sentenced to death and who applies for executive clemency and whose sentence is by the Governor commuted to life imprisonment shall not thereafter be eligible for pardon or parole.

and pending substitute, was indefinitely postponed on the last legislative day.

## RECESS

At 12 o'clock Noon, on motion of Mr. Andrews, the Senate took a recess until one thirty o'clock this afternoon.

## AFTERNOON SESSION

## TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, AUGUST 7, 1951

The Senate reassembled at 2 o'clock P. M., Lieutenant-Governor Allen presiding.

## ROLL CALL

Present:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright



## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Martin:

H. J. R. 90. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that House Bills 744, 745, 746 and 747, which have passed both Houses, be named the Phillips, Martin bills.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Robison, the Senate concurred in and adopted the Resolution, H. J. R. 90, set out in the foregoing Message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the House bill:

H. 14. To propose an amendment to the Constitution of Alabama relative to regulating the fees, commissions, allowances, and salaries of any officer of Clarke County; and ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House: Messrs. Mathews, McNider and Oakley.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Locke (Choctaw), the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 14, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Locke (Choctaw), Locke (Perry), and Faulkner.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Shelton and Morgan (Tuscaloosa):

H. 814. To make appropriations for the fiscal years 1951-52 and 1952-53 to provide facilities for a nurses' educational program at the Bryce Hospital.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 814—To the Committee on Finance and Taxation.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. McCary, High and Norrell:

S. B. 598. To authorize and direct the Governor of Alabama to execute a compact on behalf of the State of Alabama with the State of Georgia for the creation of the "Alabama-Georgia Turnpike Authority" to construct, maintain and operate a turnpike project between Birmingham, Alabama and Atlanta, Georgia; and prescribing the substantive form and provisions of such compact.

Committee on Finance and Taxation.

By Mr. Eddins:

S. B. 599. To impose extra, new, and additional duties upon the circuit solicitors of the State of Alabama; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; and to provide for the payment of such additional compensation out of the General Fund of the State of Alabama.

Committee on Finance and Taxation.

By Mr. Johnston (Mobile):

S. B. 600. To provide for the approval by courts, without notice or publication or posting, of consent or agreed final settlements by and between guardians and their wards.

Committee on Judiciary.

By Mr. Byars:

S. B. 601. To amend Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act to regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the Writ of garnishment," as amended.

Committee on Banking.

By Mr. Todd:

S. B. 602. Relating to counties having a population of not less than twenty-five thousand seven hundred twenty-five nor more than twenty-five thousand nine hundred twenty-five inhabitants; authorizing the abolition of the city board of education in any municipality in such counties and the establishment in lieu thereof of an education commission of the city; providing for its organization, procedures, powers and duties, and for the selection, qualifications and compensation of its members.

Committee on Local Legislation.

By Mr. Johnston (Mobile):

S. B. 603. To amend Title 61, Section 301 of the 1940 Code of Ala-

bama, as amended, entitled, "Settlement by Consent Without Notice."  
Committee on Judiciary.

## RESOLUTION

Mr. Johnston (Mobile) offered the following Resolution, to-wit:

S. J. R. 60. Be it resolved by the Senate, the House concurring, that when the two houses adjourn today they adjourn to meet again on Thursday, August 9, at 10:00 o'clock a.m.

Which was read and referred to the Standing Committee on Rules.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in Session, has compared the following Senate Bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to-wit:

S. 419. To amend Section 55 of Title 17 of the 1940 Code of Alabama.

HERBERT B. BYARS,  
Chairman.

## SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

## BILLS ON THIRD READING

The Bill:

H. 262. To make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

was taken up.

Mr. Jones offered the following amendment to the Bill, to-wit:

Amend Item V (16) to read as follows:

## (16) DEPARTMENT OF VETERANS AFFAIRS:

For salary of Service Commissioner.....	5,700.00
For other salaries.....	334,300.00
For other expenses.....	32,000.00
For equipment purchases.....	1,000.00
Total .....	373,000.00

On motion of Mr. McCary, said amendment was laid on the table.

Yeas 18; Nays 11.

Yeas:

Messrs.:  
Benson  
Boutwell

Byars  
Eddins  
Farmer

High  
Johnston (Mobile)  
Larkins

Locke (Perry)  
McCary  
Norrell

Pinson	Robison	Thagard	Wright	
Richardson	Skidmore	Todd		—18

Nays:

Messrs.:	Faulkner	Hollis	Locke (Choctaw)
Andrews	Foster	Johnson (Chambers)	Sollie
Fant	Golson	Jones	Whatley

—11

Mr. Johnson (Chambers) offered the following amendment to the Bill, to-wit:

Amend H. B. 262 by striking therefrom in its entirety Item IV (2) of Section 1 and inserting in lieu thereof the following:

“(2) OFFICE OF THE STATE AUDITOR

For the salary of the State Auditor.....	6,000.00
For other salaries.....	3,600.00
For other expenses.....	1,000.00
Total .....	10,600.00”

On motion of Mr. Boutwell, said amendment was laid on the table.

Yeas 23; Nays 8.

Yeas:

Messrs.:	Eddins	Hollis	Richardson
Benson	Fant	Locke (Choctaw)	Robison
Bonner	Farmer	McCary	Skidmore
Boutwell	Faulkner	Norrell	Thagard
Byars	Foster	Pinson	Todd
Clayton	High	Reneau	Wright

—23

Nays:

Messrs.:	Johnston (Mobile)	Locke (Perry)	Sollie
Golson	Larkins	Quarles	Whatley
Johnson (Chambers)			

—8

Mr. Johnson (Chambers) offered the following amendment to the bill, to-wit:

Amendment to H. B. 262

Amend H. B. 262 by striking therefrom in their entirety the Items XI (A) and XI (B) of Section 1 and inserting in lieu thereof the following:

“A. ADMINISTRATIVE AND STORES DIVISION:

For salary of administrator.....	7,500.00
For other salaries.....	1,400,000.00
For other expenses (Transportation costs for merchandise excluded).....	304,250.00
For equipment purchases.....	12,500.00
For additions and betterments.....	14,500.00
For transfer to State Personnel Department....	8,000.00
For transportation costs on merchandise, estimated .....	165,000.00

Total estimated .....	1,911,750.00
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In addition to the above appropriation herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install the last comparable retail store put into operation by said board. Provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

**"B. LAW ENFORCEMENT DIVISION:**

For the fiscal year ending September 30, 1952:

For salaries .....	200,000.00
For other expenses.....	125,000.00
For equipment purchases.....	54,560.00
For additions and betterments.....	100.00

Total ..... 379,660.00

For the fiscal year ending September 30, 1953:

For salaries .....	200,000.00
For other expenses.....	125,000.00
For equipment purchases.....	200.00
For additions and betterments.....	100.00

Total ..... 325,300.00"

And no motion of Mr. Boutwell, said amendment was laid on the table.

Mr. Andrews offered the following amendment to the bill, to-wit:

Amend H. B. 262 as follows:

By striking from Section VIII, sub-section 2, line 5, the figure "\$2,-160,000.00" and inserting in lieu thereof, the figure "\$1,160,000.00"; and by striking from line 2 of such section 2, line 5, the figure \$675,415.80 and adding in lieu thereof the figure \$1,675,415.80.

And no motion of Mr. Pinson, said amendment was laid on the table.

Yeas 19; Nays 11.

**Yeas:**

Messrs.:	Farmer	Larkins	Skidmore
Benson	Faulkner	McCary	Sollie
Boutwell	High	Pinson	Thagard
Byars	Hollis	Reneau	Whatley
Clayton	Johnston (Mobile)	Richardson	Wright

—19

**Nays:**

Messrs.:	Fant	Johnson (Chambers)	Locke (Perry)
Andrews	Foster	Jones	Phillips
Bonner	Golson	Locke (Choctaw)	Todd

—11

Mr. Andrews also offered the following amendment to the Bill, to-wit:

Amend H. B. 262 as follows:

By striking from Section VIII, sub-section 2, line 5, the figure "\$2,-160,000.00" and inserting in lieu thereof, the figure "\$1,560,000.00; and by striking from line 2 of such section 2, line 5, the figure \$675,415.80 and adding in lieu thereof the figure \$1,175,415.80.

And on motion of Mr. Boutwell, said amendment was laid on the table.

Yeas 20; Nays 12.

Yeas:

Messrs.:	Farmer	Larkins	Skidmore
Benson	Faulkner	McCary	Sollie
Boutwell	High	Pinson	Thagard
Byars	Hollis	Reneau	Whatley
Clayton	Johnston (Mobile)	Richardson	Wright
Fant			

—20

Nays:

Messrs.:	Foster	Jones	Phillips
Andrews	Golson	Locke (Choctaw)	Robison
Bonner	Johnson (Chambers)	Locke (Perry)	Todd
Eddins			

—12

And said Bill was then read a third time at length and passed.

Yeas 31; Nays 2.

Yeas:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Perry)	Robison
Benson	Foster	McCary	Skidmore
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Thagard
Clayton	Hollis	Pinson	Todd
Eddins	Johnson (Chambers)	Quarles	Whatley
Fant	Johnston (Mobile)	Reneau	Wright

—31

Nays: Messrs.: Bonner and Jones —2

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 708, said Governor's message being in words and figures as follows, to-wit:

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 708, with a suggested executive amendment.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

August 7, 1951.

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 708, with a suggested executive amendment, as follows:

Amend House Bill No. 708 by striking therefrom the words "of the appeal" where they appear in the first line of Section 1 of said bill, and substituting in lieu thereof the words "and approval".

The suggested amendment is made with the full knowledge and approval and at the request of the author, and if adopted will remove my objection to said bill.

Respectfully,

GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 708 by a vote of Yeas 80, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 708. Authorizing, empowering and directing the Judge of Probate of Marshall County, Alabama, to record all minutes, judgments, orders and decrees of the Probate Court or decrees made and entered by the Probate Court in the Book of Final Records of said Court instead of having them recorded in the Minutes in said Court separate and apart from the Final Record and provides when this Act shall become effective.

As amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 75, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Benson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 708, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Norrell	Skidmore	
Andrews	Hollis	Pinson	Sollie	
Benson	Johnston (Mobile)	Quarles	Todd	
Boutwell	Larkins	Richardson	Whatley	
Clayton	Locke (Choctaw)	Robison	Wright	
Faulkner	Locke (Perry)			—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Robison	
Andrews	Foster	Norrell	Smith	
Benson	High	Phillips	Sollie	
Boutwell	Johnson (Chambers)	Quarles	Todd	
Clayton	Jones	Reneau	Whatley	
Fant	Locke (Choctaw)			—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 634, said Governor's message being in words and figures as follows, to-wit:

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 634, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 7, 1951.

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 634, with a suggested executive amendment, as follows:

Amend Section 2 of House Bill No. 634 by adding at the end of said Section, the following:

"Provided, however, that the members of said Court of County Commissioners shall be entitled to compensation herein provided for not more than two days in any one calendar month."

The suggested amendment is made at the request of the author of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 634, by a vote of Yeas 79, Nays 0,



which was a majority of the whole number elected to the House, and said bill:

H. 634. Relating to Winston County; imposing extra, new, and additional duties upon the members of the Court of County Commissioners and providing additional compensation to such members for their performance thereof.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 71, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Fant, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 634, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	McCary	Richardson	
Andrews	Faulkner	Norrell	Skidmore	
Benson	High	Pinson	Smith	
Boutwell	Johnson (Chambers)	Quarles	Sollie	
Clayton	Jones	Reneau	Wright	
Fant	Locke (Choctaw)			—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Norrell	Skidmore	
Benson	Foster	Phillips	Sollie	
Boutwell	High	Pinson	Todd	
Clayton	Johnson (Chambers)	Quarles	Whatley	
Eddins	Jones	Reneau	Wright	
Fant	Locke (Choctaw)			—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning

Senate Bill No. 166, with suggested executive amendments.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 166, with suggested executive amendments, as follows:

A. Amend Senate Bill No. 166 by adding at the end of Section 1 of said bill, the following:

"For the purpose of operating clinics at various points in the state for the treatment of cases of tuberculosis, an expenditure of not more than \$10,000.00 annually is authorized from any appropriation made from the State Treasury to the State Department of Health for the control of tuberculosis."

B. Amend said bill further by striking therefrom Section 1 ½ in its entirety.

The suggested amendments are made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objections to the bill.

Respectfully,

GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Wright, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 166. To amend Title 22, Section 199, Code of Alabama of 1940, as amended, which relates to care of tubercular patients.

which said amendment is set out in the foregoing Message from the Governor.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Reneau
Andrews	Farmer	Larkins	Richardson
Benson	Faulkner	Locke (Choctaw)	Robison
Bonner	Golson	McCary	Thagard
Boutwell	High	Norrell	Todd
Byars	Hollis	Pinson	Whatley
Clayton	Johnson (Chambers)	Quarles	Wright
Eddins	Johnston (Mobile)		

—29

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Reneau
Andrews	Faulkner	Larkins	Richardson
Bonner	Foster	Locke (Choctaw)	Robison
Boutwell	Golson	McCary	Thagard
Byars	High	Norrell	Todd
Clayton	Hollis	Pinson	Whatley
Eddins	Johnson (Chambers)	Quarles	Wright
Fant	Johnston (Mobile)		

—29

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Fite (Marion):

H. J. R. 93. BE IT RESOLVED by the House of Representatives, the Senate concurring, that

WHEREAS, the members of both bodies have come to know, respect, and love the Honorable Truman A. Simpson, member of said House, and have enjoyed his fellowship and comradeship since the Legislature has been in session, and

WHEREAS, our friend, the said Truman A. Simpson is now confined in the Druid City Hospital at Tuscaloosa, Alabama, and is in grave and critical condition due to a severe head injury received by him in an automobile accident on Friday, August 3, 1951, and

WHEREAS, the members of both Houses are grieved over this tragic occurrence and are greatly concerned for his recovery.

NOW THEREFORE BE IT RESOLVED that the members of both Houses express their most earnest hopes that our co-worker will recover from said injury and regain his former health, and

BE IT FURTHER RESOLVED that the members of said Houses do hereby convey our most heartfelt sympathy to the family of the said Truman A. Simpson, along with our hopes and prayers for the recovery and welfare of the said Truman A. Simpson, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Mrs. Truman A. Simpson.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 93, set out in the foregoing Message from the House, was adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 262. To make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State, and for the interest on the Public Debt, and for the Public Schools.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Russell:

H. J. R. 94. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 10, 1951.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

On motion of Mr. Clayton, the Rules were suspended and the Resolution, H. J. R. 94, was adopted by the Senate.

#### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 364 Delivered to the Governor, July 10, 1951 at 10:08 A. M.  
S. B. 365 Delivered to the Governor, July 10, 1951 at 10:08 A. M.  
S. J. R. 34 Delivered to the Governor, July 10, 1951 at 2:40 P. M.  
S. B. 322 Delivered to the Governor, July 10, 1951 at 3:25 P. M.  
S. B. 393 Delivered to the Governor, July 10, 1951 at 4:25 P. M.  
S. J. R. 36 Delivered to the Governor, July 13, 1951 at 10:12 A. M.  
S. B. 25 Delivered to the Governor, July 13, 1951 at 10:12 A. M.  
S. B. 29 Delivered to the Governor, July 13, 1951 at 10:12 A. M.  
S. B. 94 Delivered to the Governor, July 13, 1951 at 10:12 A. M.  
S. B. 376 Delivered to the Governor, July 13, 1951 at 10:12 A. M.  
S. B. 377. Delivered to the Governor, July 13, 1951 at 10:12 A. M.  
S. B. 395 Delivered to the Governor, July 13, 1951 at 10:12 A. M.  
S. B. 287 Delivered to the Governor, July 17, 1951 at 10:12 A. M.  
S. B. 317 Delivered to the Governor, July 17, 1951 at 10:12 A. M.  
S. B. 318 Delivered to the Governor, July 17, 1951 at 10:12 A. M.  
S. J. R. 38 Delivered to the Governor, July 17, 1951 at 11:55 A. M.  
S. J. R. 39 Delivered to the Governor, July 17, 1951 at 2:05 P. M.

- S. B. 109 Delivered to the Governor, July 17, 1951 at 2:05 P. M.  
S. B. 171 Delivered to the Governor, July 17, 1951 at 2:05 P. M.  
S. B. 227 Delivered to the Governor, July 17, 1951 at 2:05 P. M.  
S. B. 406 Delivered to the Governor, July 17, 1951 at 2:05 P. M.  
S. B. 168 Delivered to the Secretary of State, July 24, 1951 at 10:36 A. M.  
S. J. R. 40. Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 10 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 41 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 46 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 74 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 80 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 97 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 98 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 107 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 110 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 128 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 152 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 156 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 256 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 276 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 288 Delivered to the Governor, July 24, 1951 at 10:45 A. M.  
S. B. 58 Delivered to the Governor, July 24, 1951 at 3:00 P. M.  
S. B. 59 Delivered to the Governor, July 24, 1951 at 3:00 P. M.  
S. B. 67 Delivered to the Governor, July 24, 1951 at 3:00 P. M.  
S. B. 270 Delivered to the Governor, July 24, 1951 at 3:00 P. M.  
S. B. 271 Delivered to the Governor, July 24, 1951 at 3:00 P. M.  
S. B. 287 Delivered to the Governor, July 26, 1951 at 10:12 A. M.  
S. J. R. 43 Delivered to the Governor, July 26, 1951 at 10:12 A. M.  
S. J. R. 44 Delivered to the Governor, July 26, 1951 at 10:12 A. M.  
S. J. R. 45 Delivered to the Governor, July 26, 1951 at 10:12 A. M.  
S. J. R. 47 Delivered to the Governor, July 26, 1951 at 10:12 A. M.  
S. B. 427 Delivered to the Governor, July 26, 1951 at 3:25 P. M.  
S. B. 398 Delivered to the Governor, July 26, 1951 at 3:25 P. M.  
S. B. 411 Delivered to the Governor, July 26, 1951 at 3:25 P. M.  
S. B. 328 Delivered to the Governor, July 31, 1951 at 10:12 A. M.  
S. B. 434 Delivered to the Governor, July 31, 1951 at 10:12 A. M.  
S. B. 10 Delivered to the Governor, July 31, 1951 at 2:55 P. M.  
S. B. 429 Delivered to the Governor, July 31, 1951 at 2:55 P. M.  
S. J. R. 51 Delivered to the Governor, July 31, 1951 at 2:55 P. M.  
S. B. 41 Delivered to the Governor, August 3, 1951 at 10:20 A. M.  
S. B. 156 Delivered to the Governor, August 3, 1951 at 10:20 A. M.  
S. B. 256 Delivered to the Governor, August 3, 1951 at 10:20 A. M.  
S. B. 166 Delivered to the Governor, August 3, 1951 at 10:20 A. M.  
S. B. 484 Delivered to the Secretary of State, August 7, 1951 at 10:20 A. M.  
S. B. 232 Delivered to the Governor, August 7, 1951 at 10:25 A. M.  
S. B. 466 Delivered to the Governor, August 7, 1951 at 10:25 A. M.  
S. B. 485 Delivered to the Governor, August 7, 1951 at 10:25 A. M.  
S. B. 486 Delivered to the Governor, August 7, 1951 at 10:25 A. M.

S. B. 487 Delivered to the Governor, August 7, 1951 at 10:25 A. M.  
 S. B. 498 Delivered to the Governor, August 7, 1951 at 10:25 A. M.  
 S. B. 503 Delivered to the Governor, August 7, 1951 at 10:25 A. M.  
 S. B. 510 Delivered to the Governor, August 7, 1951 at 10:25 A. M.  
 S. J. R. 54 Delivered to the Governor, August 7, 1951 at 10:25 A. M.  
 S. J. R. 57 Delivered to the Governor, August 7, 1951 at 10:25 A. M.  
 S. B. 419 Delivered to the Governor, August 7, 1951 at 4:05 P. M.

J. E. SPEIGHT,  
 Secretary.

### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 438. To amend Sections 4, 19, 23, 24, 25, and 36, Title 29, Code of Alabama 1940 which relates to the Alabama Alcoholic Beverage Control Board regulating intoxicating liquor.

was taken up.

Mr. Reneau offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO SENATE BILL 438

Amend Senate Bill 438 as follows:

By striking out of the first paragraph of Sec. four the words "Ten Thousand" and inserting in lieu thereof the words "Seventy-five Hundred."

And on motion of Mr. Boutwell, said amendment was laid on the table.

Yeas 18; Nays 14.

Yeas:

Messrs.:	Fant	Johnson (Chambers)	Skidmore	
Boutwell	Farmer	McCary	Todd	
Byars	Faulkner	Phillips	Whatley	
Clayton	High	Pinson	Wright	
Eddins	Hollis	Richardson		—18

Nays:

Messrs.:	Johnston (Mobile)	Locke (Perry)	Robison	
Andrews	Jones	Norrell	Sollie	
Bonner	Larkins	Quarles	Thagard	
Golson	Locke (Choctaw)	Reneau		—14

And said bill was then read a third time at length.

Mr. Reneau moved that the Senate reconsider the vote by which the Bill, S. B. 438, was ordered to its third reading.

### REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to

report that said Committee, in Session, has carefully examined the Journal of the Senate for the twenty-seventh legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

### COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the twenty-seventh legislative day approved by the Senate.

### ADJOURNMENT

At 5:10 P. M., on motion of Mr. Bonner, pending further consideration of S. B. 438, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, August 10, 1951, at 10 o'clock A. M.

Yeas 24; Nays 8.

#### Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison
Andrews	Golson	Locke (Perry)	Skidmore
Bonner	Johnson (Chambers)	Phillips	Sollie
Byars	Johnston (Mobile)	Quarles	Thagard
Clayton	Jones	Reneau	Todd
Eddins	Larkins	Richardson	Whatley
Fant			

—24

#### Nays:

Messrs.:	Foster	Hollis	Norrell
Boutwell	High	McCary	Pinson
Faulkner			

—8

## TWENTY-EIGHTH LEGISLATIVE DAY

FRIDAY, AUGUST 10, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

### PRAYER

The Session was opened with prayer by Dr. G. Stanley Frazer, Pastor, St. James Methodist Church.

### ROLL CALL

#### Present:

Messrs.:	Farmer	Larkins	Robison
Andrews	Faulkner	Locke (Choctaw)	Skidmore
Benson	Foster	Locke (Perry)	Smith
Bonner	Golson	McCary	Sollie
Boutwell	High	Norrell	Thagard
Byars	Hollis	Phillips	Todd
Clayton	Johnson (Chambers)	Pinson	Whatley
Eddins	Johnston (Mobile)	Reneau	Wright
Fant	Jones	Richardson	

—34

## JOURNAL

On motion of Mr. Fant, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## LEAVE OF ABSENCE

On motion of Mr. Bonner, leave of absence was granted Mr. Quarles for today.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McCary:

S. B. 604. Relating to schools; requiring courses of instruction in safe driving in the public high schools; making appropriations to effectuate the purposes of this Act.

Committee on Finance and Taxation.

By Mr. McCary:

S. B. 605. To apply only in counties having a population of not less than 74,000 nor more than 93,000 inhabitants; Authorizing the establishment under certain circumstances by banks within such counties of branch banks within the county.

Committee on Local Legislation.

By Messrs. Pinson, Reneau, Faulkner and Larkins:

S. B. 606. To create a State Department of Public Welfare; to provide for a State Board of Public Welfare and to prescribe its powers and duties; to provide for the appointment of a Commissioner, as executive and administrative officer, and other employees; to authorize the allocation of Federal and State funds in a manner to provide equitable treatment of needy individuals in similar circumstances; to prescribe the duties, powers and responsibilities of the Department; to create county departments of public welfare and to describe their duties; to provide for county boards of public welfare and to prescribe their duties; to authorize county and city governing bodies to make other and further provisions for the needy; to define who is entitled to old age assistance, aid to the blind, aid to dependent children, and aid to the permanently and totally disabled; to provide for the method of making application, the determination of eligibility, and the amount of assistance; to authorize payment after death for the month in which the recipient dies; to define the obligations of persons applying for or receiving assistance; to define the rights of persons applying for or receiving assistance to appeal; to authorize state and county departments to subpoena witnesses; to authorize the State Department to develop standards of assistance and to further define the authority of the State Department; to provide penalty for false representation; to exempt assistance grants from taxes, levy, garnishment, or other process; to authorize old age assistance for eligible confederate pensioners; to provide for payments over maximum in which the Federal government will share for hospital care for old age assistance applicants and recipients; to authorize county boards to review public assistance cases; to appropriate surplus and residue from the proceeds of the levy of the one mill tax for the relief of needy confederate soldiers and sailors and their widows; to provide for the severability of the provisions; and to provide for the time the Act shall take effect.

Committee on Public Welfare and Correctional Institutions.

By Messrs. Pinson, Reneau, Faulkner and Larkins:

S. B. 607. To create a state public welfare trust fund, defining the receipts of the fund and providing for disbursements from the fund.

Committee on Finance and Taxation.



By Messrs. Pinson, Reneau, Faulkner and Larkins:

S. B. 608. To amend Title 51, Section 784 of the Code of Alabama, 1940, as amended by Act No. 82, approved June 2, 1943, which relates to the distribution of the revenues from the sales tax.

Committee on Finance and Taxation.

By Mr. Golson (with notice and proof):

S. B. 609. To amend Section 5 of an Act approved December 17, 1894, entitled "An Act To establish a Board of Revenue of Lowndes County, Alabama and define the powers and duties of said Board of Revenue."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

#### STATE OF ALABAMA LOWNDES COUNTY

Notice is hereby given that at the next session of the Legislature of Alabama a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To Amend Section 5 of an Act entitled an Act "To establish a Board of Revenue of Lowndes County, Alabama and define the powers and duties of said Board of Revenue" approved December 18, 1894.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 5 of an Act entitled an Act "To establish a Board of Revenue of Lowndes County, Alabama and define the powers and duties of said Board of Revenue" approved December 18, 1894, be and the same is hereby to read as follows: Section 5: Be it further enacted, that the Clerk of the Circuit Court of said Lowndes County shall by virtue of his office, be clerk of said Board; and he shall attend at all their meetings; he shall keep in security all their papers and documents; all claims against said County may be filed with and sworn to before him without cost to the affiant; and he shall keep such records of said claims, and of the disposition thereof, as well as perform other duties as clerk of such Board, as are now, or which may be required of him by law, or which the said Board may require of him as their Clerk. And he shall be paid for the service at the monthly meetings of said Board in sums to be at an annual rate of not less than \$2000.00 and not more than \$3,000.00.

Section 2. Be it further enacted that all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

This April 16, 1951.

C. MAC GOLSON,  
Senator, Lowndes County.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. K. Perry, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 20, Apr. 27, May 4, and May 11, all in the year 1951.

S. K. PERRY.

Sworn to and subscribed before me Aug. 10, 1951.

S. V. NUTT,  
Notary Public.

By Messrs. Faulkner and Byars:

S. B. 610. To provide for the deposit of certain funds in the State Treasury to the credit of the Textbook Purchasing Board Account and to provide for the expenditure of funds deposited in that account.

Committee on Finance and Taxation.

By Mr. Whatley:

S. B. 611. To appropriate the sum of twelve thousand five hundred and no/100ths dollars (\$12,500.00) for each of the fiscal years 1950-1951 and 1951-1952 from the Alabama Milk Control Board Fund to the artificial insemination unit of the Alabama Polytechnic Institute.

Committee on Finance and Taxation.

By Mr. Wright:

S. B. 612. To make an appropriation to the Department of Public Safety for each of the years ending September 30, 1952 and September 30, 1953.

Committee on Finance and Taxation.

By Mr. Eddins:

S. B. 613. An Act to be designated as Section 660 (1) of Title 51, Code of Alabama 1940, as amended, and to provide that it shall be unlawful to use gasoline and other motor fuels in the operation of a motor vehicle over the highways of this State upon which the excise tax levied upon said products has not been paid or assumed and to further provide that a violation of this Section shall constitute a misdemeanor punishable by a fine of not less than twenty-five dollars nor more than one hundred dollars, for each violation thereof.

Committee on Public Roads and Highways.

By Mr. Eddins:

S. B. 614. To amend Sections (2), (8), (9), (10), (12), and (14) of an Act designated as No. 590, H. 392, General Acts of Alabama of 1939, page 958, and entitled: "To impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this state of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this Act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this Act; to provide for a modification or repeal

of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this Act; and to generally provide for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto." approved June 27, 1940.

Committee on Public Roads and Highways.

### REPORTS OF COMMITTEES

Mr. Sollie, Acting Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Thagard:

S. 596. Relating to insurers not authorized to transact business in this State; providing for actions in this state against and for the service of process upon such insurers; and prescribing how a defense may be made by such insurers.

By Mr. Skidmore:

S. 573. To amend Sections 89, 90, 91, 92, and 98 of Title 34 of the 1940 Code, which relate to desertion and nonsupport.

By Mr. Johnston (Mobile):

S. 603. To amend Title 61, Section 301 of the 1940 Code of Alabama, as amended, entitled, "Settlement by Consent without Notice."

By Mr. Johnston (Mobile):

S. 600. To provide for the approval by courts, without notice or publication or posting, of consent or agreed final settlements by and between guardians and their wards.

By Mr. Andrews:

S. 435. To amend Article 2, Chapter 40, of Title 14 of the 1940 Code of Alabama, which relates to pistols.

By Mr. Merrill:

H. 402. To amend Section 19 of Title 47 of the Code of Alabama of 1940, as amended July 6, 1945, so as to embrace in said Section as amended conveyances of joint tenancy in which the grantor is also a co-grantee.

By Messrs. Denton and Adams (Jefferson):

H. 388. To amend Section 9 of Title 14 of the Code of Alabama (1940), which relates to the punishment for inducing an abortion.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Martin, Wilson, Harrison (Wilcox) and Selden:

H. 117. To amend Section 29 of Title 11 of the 1940 Code of Alabama, which relates to the fees allowed Judges of Probate.

By Mr. Pruitt:

H. 602. To require the division of the budget and the budget officer to furnish certain fiscal information and data to members of the Legislature and to assist in the fiscal management of the Alabama Building Commission or its successor; to provide for the salary of the State Budget Officer, and to provide an effective date for this Act.

By Messrs. Kendall, Kaul, Faulk and Sellers:

H. 61. To amend Section 3 of an Act entitled "An Act to provide legal

counsel for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this Act.", approved November 1, 1950.

By Mr. Boutwell:

S. 586. To make an appropriation to the State Board of Veterinary Medical Examiners for each of the fiscal years ending September 30, 1952 and September 30, 1953.

By Mr. Faulkner:

S. 441. To make appropriations to the trustees of the Alabama Academy of Science.

By Mr. Skidmore:

S. 417. To amend Section 81, Title 55, Code of Alabama 1940, prescribing the powers, authority, duties and compensation of the state comptroller.

By Mr. Boutwell:

S. 585. To amend subsection (g) of Section 3 of Act No. 460, Senate Bill 431, approved August 25, 1949, entitled, "An Act to amend Sections 1 and 3 of Act No. 523, Senate Bill 315, approved September 30, 1947, entitled, 'An Act to create and establish a Water Improvement Advisory Commission; to define the duties, jurisdiction, and powers of such commission; to provide for its personnel, and the term of office and method for appointment of same; to provide for regular and special meetings of said Commission; to appropriate the sum of Fifty Thousand and No/100 (50,000.00) Dollars annually for each of the fiscal years 1948 and 1949, for the purpose of carrying out the provisions of this Act; and for other purposes.'"

By Mr. Thomas:

H. 724. To amend Section 776, Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act No. 56, General Acts of Alabama 1947, page 24, approved July 7, 1947.

By Mr. Boutwell:

S. 597. To transfer the fund appropriated by Act No. 559, S. 285, approved July 7, 1943 (GENERAL ACTS, 1943, p. 551) to the State Building Commission, and to provide for the use thereof.

By Mr. Clayton:

S. 493. Relating to license inspectors and their duties; amending Section 835, Title 51, Code of Alabama (1940).

By Mr. Phillips:

S. 538. To amend Section 4 of Act No. 275, approved July 26, 1951, entitled "An Act regulating the business of selling, distributing, storing or transporting liquefied petroleum gases; To regulate the design, construction, location, installation and operation of containers, tanks, systems and equipment for storing, utilization, handling and transporting liquefied petroleum gases; to create the Alabama Liquefied Petroleum Gas Commission and define its duty and authority; to provide for permits, permit fees and insurance and bond requirements of persons engaged in the businesses defined in this Act; to provide for a minimum amount of storage of liquefied petroleum gas by persons engaged in businesses defined in this Act; to provide penalties for the violation of this Act and any rule, or order promulgated pursuant hereto and to provide for the effective date of this Act", said Act being known as the "Alabama Liquefied Petroleum Gas Act".

By Messrs. Dawkins, Meeks, Morgan (Jefferson) and Harrison (Shelby):

H. 864. To appropriate the sum of fifty thousand dollars (\$50,000) to the State Health Department for subsidy to the counties for the treatment of tuberculosis.

By Mr. Grouby:

H. 2. To amend Sections 15, 16 and 98 of Title 11 of the Code of Alabama (1940), as amended, which relate to pay for jurors.

By Messrs. Romine, Kendall, Solomon, Fite (Marion), Merrill, Meeks, Givhan and Butler:

H. 229. To impose extra, new, and additional duties upon certain state officers, and providing additional compensation for their performance thereof.

By Mr. White (Covington):

H. 642. To make an additional appropriation to the State Board of Education in the sum of three thousand (\$3,000.00) dollars to be expended for regional education and to be paid out of any funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund.

By Mr. Eddins:

S. 583. To authorize and provide for the payment of the sum of \$216.86 for the relief of Joel M. Ragland, who was seriously injured while employed by the State of Alabama in the line and scope of his employment.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Skidmore (With substitute):

S. 522. To amend Section 154 of Title 41 of the Code of Alabama 1940, as amended by Act No. 425, General Acts of Alabama, Regular Session 1949, page 607, approved August 23, 1949, to provide for expenses per day and traveling expenses.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Reneau:

S. 301. To amend Section 268 of Title 55 of the Code of Alabama of 1940, as amended, relating to the salary of the Director of the Department of Archives and History.

By Messrs. Benson, Faulkner and High:

S. 555. To authorize the State Board of Agriculture and Industries to expend any funds in the State Markets Fund of the Agricultural Fund, not exceeding \$75,000.00 for the purpose of equipping, enlarging and expanding buildings or other facilities constructed by the State Markets Board and providing that no amounts shall be expended hereunder until all amounts required to be repaid to the General Fund of the State Treasury pursuant to Act No. 687 of the Legislature of 1947, shall have been repaid.

By Messrs. Robison, Golson, Quarles, Pinson, Faulkner, Clayton and Eddins:

S. 590. To authorize the Agricultural Center Board to lease the coliseum building and any facilities necessary in connection therewith forming a part of the Alabama Agricultural Center from any public corporation organized for the purpose of completing and equipping said coliseum building and facilities; to specify provisions for said lease; to authorize the said board to operate the properties leased and make contracts respecting the same and charges in connection therewith; to provide that said lease shall not constitute or give rise to an indebtedness of the state

and that the rentals thereunder shall be payable solely out of moneys in the Agricultural Center Fund derived from the operation of the properties so leased and, to the extent to which such revenues may not be sufficient to pay said rentals and the operating and administrative expenses of the board, out of moneys accruing to the Agricultural Fund under the provisions of Section 31 of Title 2 of the Code of 1940, and to make continuing appropriations therefor out of said funds; to repeal Sections 2 and 4 of Act Number 282 adopted at the 1945 Regular Session of the Legislature of Alabama; and to specify the effective date of this Act.

By Messrs. Robison, Golson, Quarles, Pinson, Faulkner, Clayton and Edins:

S. 589. To authorize the creation of a public corporation for the purpose of completing the construction and equipment of the coliseum building and necessary facilities in connection therewith located in the Alabama Agricultural Center; to authorize the conveyance to the said corporation by the state of the said coliseum building in its present uncompleted condition together with lands in connection therewith; to authorize the issuance by said corporation of interest bearing revenue bonds, not exceeding \$1,250,000 in aggregate principal amount, for the purpose of completing the construction and equipment of the said coliseum building and necessary facilities in connection therewith and the improvement of said lands, to be payable solely out of the rentals received in the leasing of properties of said corporation; to make provisions respecting such bonds including a provision that they shall constitute negotiable instruments; to authorize the lease by the said corporation of all or any part of its properties to the Agricultural Center Board; to authorize, as security for said bonds, the pledge of said lease and the rentals payable thereunder and the creation of a lien on said rentals; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge and lien and to provide that such filing will constitute constructive notice thereof; to provide the use to which the proceeds from the sale of said bonds may be put; to specify conditions covering the letting of contracts for the completion of the construction and equipment of said coliseum building and necessary facilities in connection therewith; to authorize the issuance of refunding bonds by said corporation; to impose on the State Treasurer the duty of disbursing the proceeds of said bonds and said rentals; to provide that said bonds shall constitute legal investments for fiduciaries, savings banks and insurance companies and shall be eligible as security for the deposit of funds of the state and its instrumentalities; to exempt from taxation the properties of said corporation and the rentals derived therefrom, the said bonds and the income therefrom, and all lease agreements and pledge and lien instruments authorized hereunder; to provide for the publication of notice of the adoption of a resolution authorizing the issuance of said bonds and to specify a limitation of time thereafter for actions or defenses questioning the validity of said bonds or the pledge made therefor; and to provide for the dissolution of said corporation and the conveyance to the State of the properties of the corporation upon payment of its bonds and the obligations incurred by it under the provisions of this act.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Phillips (With amendment):

S. 530. To appropriate \$120,000 annually during the next two fiscal years to The Armory Commission of Alabama to be used in providing necessary armory facilities for Alabama National Guard units, including the matching of Federal funds made available to the State of Alabama for such purpose.

By Mr. Andrews (With amendment):

S. 254. To make appropriation to the office of secretary of state to be used in establishing and compiling an alphabetical list of corporations.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Robison (With substitute):

S. 161. To make appropriations for the promotion of Blue and Gray Day in Alabama.

Mr. Sollie, Chairman of the Standing Committee on Banking, reported that said Committee in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute and it was read a second time and placed on the calendar, to-wit:

By Mr. Byars (With substitute):

S. 601. To amend Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act to regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," as amended.

Mr. Pinson, Chairman of the Standing Committee on Public Welfare and Correctional Institutions, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Jones and Hollis:

S. 580. Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act.

By Mr. Phillips:

S. 584. To provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for pardon unless his innocence of the crime for which he was convicted is proved to the satisfaction of the Board of Pardons and Paroles, and such board votes unanimously to grant such person a pardon and the granting of the pardon is approved by the Governor; to provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for parole until such person shall have served at least fifteen years of such life sentence:

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the

following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Skidmore:

S. 572. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payments of such additional compensation by Tuscaloosa County.

By Mr. Robison:

S. 577. To authorize the governing body of any municipality in the State of Alabama having a population of as many as 78,000 people and not more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

By Mr. Robison:

S. 578. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

By Mr. Wright (With notice and proof):

S. 587. Relating to Talladega County: To abolish the Court of County Commissioners of Talladega County and create in lieu thereof the Board of Revenue of Talladega County; providing for its organization and for the election, term, compensation, expenses, powers and duties of its chairman and associate members; and providing for county purchases by the Board.

By Mr. Robison:

S. 588. Relating to counties having a population of not less than ninety-six thousand nor more than one hundred forty thousand inhabitants according to the last or any subsequent federal census; to provide for the county and the municipalities therein having a population of five thousand inhabitants or more according to the last or any subsequent federal census a civil service system governing the appointment, removal, salaries, tenure, and official conduct of certain employees thereof; creating a citizens supervisory committee and prescribing its organization, powers and duties; creating a personnel department composed of a personnel board and a personnel director; providing for the appointment, organization, powers and duties of the board and for the compensation of its members; providing for the selection, qualifications, compensation, powers, duties and functions of the director; providing for the payment of the expenses incurred in the administration of this Act; and defining violations of the Act and prescribing penalties therefor.

By Mr. Smith (With notice and proof):

S. 592. Relating to Cherokee County; providing for the payment by the county of the compensation of the Chief Clerk in the office of the Judge of Probate.

By Mr. Wright:

S. 593. To authorize each of the municipalities of the State having



a population of not less than thirteen thousand nor more than sixteen thousand three hundred inhabitants to acquire by purchase any hospital and, as all or a part of the purchase price, to assume any indebtedness on such hospital and to agree to postpone the maturity date thereof and pay interest thereon or issue its bonds, revenue bonds, warrants, or notes, in order to secure funds to pay the purchase price thereof or at the time of purchase or later to finance extensions and improvements thereto and to provide for covenants and obligations in favor of the holders of such bonds, revenue bonds, warrants or notes; and to permit each such municipality to create a Board of Hospital Managers, as a self perpetuating body, to which such municipality may irrevocably delegate all powers, authority, functions and duties with respect to the management, operation and control of such hospital, and to provide for the election of the members of such board, the confirmation and removal of such members, the officers of the board, the compensation of members and officers of the board, the bylaws, powers, functions and duties of such board, and to limit the liability of the members of such board.

By Mr. Reneau (With notice and proof):

S. 594. To further amend Section 1 of an Act approved May 20, 1935 entitled, "An Act to allow the Sheriff of Elmore County, Alabama, an additional deputy sheriff to that now provided by law, to fix the salary of said deputy and make the same payable out of the General Funds of Elmore County in monthly installments, said deputy Sheriff to be appointed by the Sheriff of Elmore County and to be located at Tallassee, Alabama, and shall be eligible to perform duties of his office anywhere in said County, and to require bond of said deputy sheriff and fix the amount thereof", as amended by Local Acts of 1939, page 177, approved August 25, 1939, and as further amended by Local Acts of 1949, page 62, approved June 2, 1949.

By Mr. Reneau (With notice and proof):

S. 595. To ratify, validate and confirm all payments of mileage and salary heretofore made by the Court of County Commissioners of Elmore County to J. W. Holt as Deputy Sheriff of Elmore County under the provisions of Act No. 69, approved May 20, 1935 (Local Acts of 1935, page 7), as amended by Act No. 282, approved August 25, 1939 (Local Acts of 1939, page 177), and as further amended by Act No. 38, approved June 2, 1949 (Local Acts of 1949, page 62); and to provide that such payments to said deputy sheriff shall be deemed to be valid regardless of whether the said J. W. Holt resided at Tallassee, Alabama during the period of time when he received such payments.

By Mr. Todd:

S. 602. Relating to counties having a population of not less than twenty-five thousand seven hundred twenty-five nor more than twenty-five thousand nine hundred twenty-five inhabitants; authorizing the abolition of the city board of education in any municipality in such counties and the establishment in lieu thereof of an education commission of the city; providing for its organization, procedures, powers and duties, and for the selection, qualifications and compensation of its members.

By Mr. Shelton (With notice and proof):

H. 303. Relating to Tuscaloosa County; providing for the appointment of the county license inspector subject to the County Civil-service Act, prescribing his duties, authority, and powers, and providing for the payment of his compensation.

By Mr. Wood:

H. 581. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing and directing the governing body of any such county to provide for the employment of a deputy clerk in the office of the Clerk of the Circuit Court.

By Messrs. Huey, Adams (Jefferson), Meeks, Beatty, Morgan (Jefferson) and Dumas (With notice and proof):

H. 737. To change the name and designation of the office of License Inspector in and for Jefferson County, Alabama, to the Department of Revenue of Jefferson County, and to change the designation of the License Inspector to Director of Revenue; to provide for the appointment, tenure, powers, and duties of the Director of Revenue; and to change the name and designation of the office of Chief Deputy License Inspector in and for Jefferson County, Alabama, to Deputy Director of Revenue, and to provide that the said Deputy Director of Revenue shall perform the duties and exercise the powers conferred upon the Chief Deputy License Inspector by Act No. 536 of the Acts of Alabama of 1947 (Local Acts of Alabama of 1947, page 359), approved October 2, 1947, as amended; and to grant power to said Department to require information to be furnished, and to require the production of books, records, and papers for inspection.

By Messrs. Huey, Adams (Jefferson), Beatty, Morgan (Jefferson) and Meeks (With notice and proof):

H. 738. To provide for the combination of the office of License Inspector or Department of Revenue of Jefferson County, Alabama, and the office of Commissioner of Licenses of said County, whenever the offices of License Inspector or Department of Revenue or Commissioner of Licenses of said County shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law, and to provide for the salary of such Director, and to provide for the employees of such Department of Revenue.

By Mr. McCoy (With notice and proof):

H. 827. Relating to Escambia County; providing that the governing body of the county shall fix, and provide for the payment of the compensation of the county jailers.

By Messrs. Roberts and Russell (With notice and proof):

H. 897. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, so as to include in the territory of said municipality, in addition to the territory now embraced therein, the following described lands, to-wit: Beginning at a point on the west line of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 32, Township 5 South of Range 4 West 1096 feet north of the southwest corner of said SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , thence running north to the northwest corner of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , thence running east to the northeast corner of the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 33, Township 5 South of Range 4 West, thence running south to the southeast corner of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 33, thence running west to the southeast corner of the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 33, thence north to the southeast corner of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 33, thence west to the southwest corner of the NW $\frac{1}{4}$  of said Section 33, thence running north along the west line of the NW $\frac{1}{4}$  of said Section 33 to the southeast corner of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 32, thence running west 190 feet, thence running north 67 feet, thence running west to the center line of the Somerville Road, thence running in a northerly direction along the center line of the Somerville Road to a point where said center line intersects a line running east from the point of beginning, thence running west to the point of beginning.

By Messrs. Roberts and Russell (With notice and proof):

H. 898. Relating to Morgan County; fixing the salary of the coroner of said county at sixty dollars per month, to be paid out of the general fund of the county.

By Messrs. Russell and Roberts (With notice and proof):

H. 899. To amend Sections 1 and 3 of an Act to fix the compensation or salary to be paid the Tax Collector of Morgan County, Alabama, being

Act No. 464 of the regular session of the Legislature of Alabama of 1939, approved September 15, 1939, as amended by Act No. 71 of the Legislature of Alabama, approved May 28, 1943.

By Messrs. Russell and Roberts (With notice and proof):

H. 900. To amend Section 1 and Section 3 of Act No. 361 of the Legislature of Alabama, which act became a law on September 14, 1939, and which act fixed the compensation or salary to be paid to the Tax Assessor of Morgan County, Alabama, as amended by Act No. 73 of the Legislature of Alabama, approved May 28, 1943.

By Messrs. Roberts and Russell (With notice and proof):

H. 901. To fix the compensation of the Solicitor of the Morgan County Court in and for Morgan County, Alabama, and to provide the period during which this Act shall be effective.

By Messrs. Russell and Roberts (With notice and proof):

H. 902. To amend Sections 1 and 4 of an act approved May 28, 1943 providing for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the Legislature of 1943.

By Messrs. Roberts and Russell (With notice and proof):

H. 914. To amend Sections 10, 14, and 16 of an act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as amended.

By Mr. Engelhardt (With notice and proof):

H. 922. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Notasulga, in Macon and Lee Counties, Alabama.

By Messrs. Dawkins, Hall, Sellers and Tennille:

H. 923. To authorize the governing body of any municipality in the State of Alabama having a population of as many as 78,000 people and not more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

By Messrs. Dawkins, Hall, Sellers and Tennille:

H. 924. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

By Mr. Tumlin (With notice and proof):

H. 931. Relating to Calhoun County: To abolish the County Commission of Calhoun County and create in lieu thereof the Board of Revenue of Calhoun County; providing for its organization and procedures and for the selection, term, compensation, expenses, powers and duties of its chairman and associate members; dividing the county into districts; re-

quiring that the county roads and bridges be constructed, repaired and maintained on a county unit basis, requiring the adoption of a budget for road and bridge construction and repair and prescribing penalties for failure to maintain the roads on a county unit basis or to follow the budget; providing for county purchases and that the chairman of the Board shall be Purchasing Agent for the county; making it unlawful to use county property or personnel for private purposes or on private property and prescribing penalties and a forfeiture therefor; repealing Act No. 420, S. 387, approved September 13, 1939 (Local Acts of Alabama, 1939, page 252) and Act No. 186, H. 499, approved July 24, 1947 (Local Acts of Alabama, 1947, page 102); and making the Act operative upon its approval by a majority of the voters of Calhoun County voting in a referendum.

By Mr. Davis (With notice and proof):

H. 933. Relating to St. Clair County: To impose extra, new, and additional duties upon the Tax Assessor and Tax Collector and providing additional compensation for the performance thereof.

By Mr. Davis (With notice and proof):

H. 934. Relating to St. Clair County: To require the clerk in the branch office of the Judge of Probate to serve as clerk of the county governing body at the branch courthouse and prescribing his compensation.

By Messrs. Payne and Leonard (With notice and proof):

H. 936. To provide a civil service system governing the appointment, removal, promotion, demotion, tenure and official conduct of the employees of the City of Sylacauga, including the chiefs and superintendents of all departments, and excluding the common laborers; providing for the examination and appointment and promotion of members of the departments on a competitive merit basis; providing for the establishment of a Civil Service Board of Sylacauga composed of three members; providing for the appointment of the members of the Board by the Governor, prescribing their qualifications and fixing their compensation; prescribing the powers and duties of the Board and authorizing it to make rules and regulations for the administration of the Act; providing for hearings before the Board in cases of demotions or dismissals; prohibiting political activities by covered employees of the City of Sylacauga and prohibiting rewards to covered employees thereof for political support; requiring members of the police department to make bond; and prescribing penalties for violations of the Act.

By Messrs. Russell and Roberts (With notice and proof):

H. 937. To fix the compensation of the members and the Chairman of the Board of Revenue and Control of Morgan County, Alabama, and to provide the period during which this act shall be effective.

By Messrs. Roberts and Russell (With notice and proof):

H. 938. To fix the salary of the County Superintendent of Education of Morgan County, Alabama, at the sum of Forty-eight Hundred Dollars (\$4800.00), beginning upon the approval of this Act.

By Messrs. Dumas, Meeks, Huey and Kaul:

H. 939. To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which im-

poses or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act," as amended by Act No. 440, General Acts of Alabama of 1949, page 647, approved August 23, 1949.

By Messrs. Dumas, Adams (Jefferson), Meeks, Huey and Kaul (With notice and proof):

H. 940. To create a fund which shall be known as "Solicitor's Fund, Bessemer Division", to provide for the appropriation of monies to said fund from the Solicitor's Fund of Jefferson County, Alabama; to authorize the expenditure of said fund by the Deputy Circuit Solicitor elected by the people in and for the Bessemer Division of Jefferson County and to provide for the purposes for which said fund may be so expended.

By Messrs. Payne and Leonard:

H. 955. To fix the salary of the Probate Judge of all counties in the State having a population of not less than 63,750 nor more than 72,500 according to the preliminary count of the 1950 Federal Census or any subsequent decennial census of the United States.

By Messrs. Shelton and Morgan (Tuscaloosa):

H. 958. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in counties having populations of not less than 94,000 nor more than 110,000 inhabitants; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Johnston (Mobile) (With Substitute) (With notice and proof):

S. 591. To abolish the process of garnishment in aid of pending suits and on judgments in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, the provisions of which Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the civil Division of the Inferior Criminal Court of Mobile County, Alabama, and to repeal or declare inoperative all laws or parts of laws in conflict therewith.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Fite (Walker) and Black (With notice and proof):

H. 830. To levy an additional tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Walker County, Alabama, for any use gasoline as defined by Section 646 of Title 51 of the 1940 Code of Alabama, and to provide the method of collecting it and to prescribe and restrict the use to which it may be applied.

Mr. Faulkner, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Locke (Choctaw) and Locke (Perry):

S. 575. Relating to the mode of cancelling teachers' contracts; amending Section 357, Title 52, Code of Alabama (1940).

By Messrs. Whatley, Todd, Larkins, Thagard, Fant, Locke (Perry), Locke (Choctaw), Byars, Andrews, Skidmore, Phillips, Faulkner, Robison, High, Norrell, Foster, Eddins, Farmer, Reneau and Johnson (Chambers):

S. 576. To provide that persons employed in an administrative or research capacity by the Agricultural Experiment Station of the Alabama Polytechnic Institute may become members of the Teachers' Retirement System and shall receive all of the benefits provided for the teachers under the provisions of Chapter 14 of Title 52, Code of Alabama (1940); and to make an appropriation to carry out the provisions of this Act.

By Messrs. Fite (Walker) and Black:

H. 796. To amend Section 151 of Title 52 of the 1940 Code of Alabama.

Mr. Pinson, Vice Chairman of the Standing Committee on Commerce and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Clayton, Sollie and Farmer:

S. 558. Relating to boards of trustees of electric cooperatives; amending Section 39, Title 18, Code of Alabama (1940).

Mr. Pinson, Vice-Chairman of the Standing Committee on Commerce and Common Carriers reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Thagard, Reneau, Larkins, Faulkner, Clayton and Foster (With amendment):

S. 66. To amend further Section 2 of Act No. 669, H. 792, approved July 5, 1940, which Act is known as the "Alabama Motor Carrier Act of 1939" (Acts, 1939, pp. 1064-1090).

Mr. Robison, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCary (With substitute):

S. 52. To amend Sections 20 and 21 of Title 30, Code of Alabama (1940), which relate to the qualifications of persons on jury rolls.

Mr. Robison, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Engelhardt, Givhan, Huey, Malone (Houston), Beatty, Roberson, Langdon, Molette, Hardy, Springer and Martin:

H. 207. To amend Section 350, Title 17, Code of Alabama (1940), which relates to the ballots used in primary elections by providing that the party's emblem, if any, shall be printed at the top of the party's ballot.

By Mr. Engelhardt:

H. 722. Relating to elections; prohibiting single-shot voting in municipal elections; providing that when two or more candidates are to be elected to the same office, the voter must express his choice for as many candidates as there are places to be filled.

By Mr. Garrett:

H. 605. To validate and confirm any election held pursuant to or as authorized by the Constitutional Amendment submitted by Act No. 1, H. 15, as passed by the Legislature at the Fourth Special Session of 1950.

By Mr. Givhan:

H. 284. To further amend Section 226 of Title 17 of the Code of Alabama of 1940.

By Mr. Engelhardt:

H. 247. To provide further for purging the registration lists of the names of those electors who have died, become insane, or convicted of crime, otherwise disqualified as electors under the provisions of the Constitution, by providing for the re-registration of electors registered on or after January 1, 1903.

Mr. Wright, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Oden:

H. 305. To amend Sections 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 326, 328 and 329 of Title 46, Code of Alabama 1940; and to repeal Sections 321, 325 and 327 of Title 46 Code of Alabama 1940, all of which relate to the practice of veterinary medicine and surgery in Alabama.

By Messrs. Thomas and Robinson:

H. 585. To amend Section 14 of Title 22 of the Code of Alabama 1940, relating to public health.

Mr. Johnston (Mobile), Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Martin (With amendment):

H. 38. To amend Section 86 of Title 8, Code of Alabama (1940), which relates to hunting at night.

By Messrs. Foster, High, Jones, Hollis and Skidmore (With amendment):

S. 158. To amend Section 91 of Title 8, Code of Alabama (1940), which relates to licenses to capture and kill fur-bearing animals.

Mr. Johnston (Mobile), Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Richardson:

S. 452. To further regulate the taking of fish in the public waters of Alabama.

By Mr. Faulkner:

S. 456. To further provide for the issuance of hunting and fishing licenses. To provide how said licenses shall be issued and by whom. To provide for disposition of the revenue derived from the sale of such licenses. To provide for a fee for the issuance of same. To repeal all laws or parts of laws in conflict herewith and for other purposes.

By Mr. Brannan:

H. 244. To prohibit the use of bait to lure, attract or entice any bird

or animal protected by law or regulation of this State. To prohibit traps, snares, poisons, chemicals and other methods of injuring, capturing or killing protected birds and animals. To except fur-bearing animals from the provisions of this Act. To provide a penalty for violating the provisions of this Act. To repeal any law in conflict herewith and to provide when the provisions of this Act shall become effective and for other purposes.

By Mr. Andrews:

S. 425. To provide for the further protection of fish, To make it unlawful for any person to take, catch, kill or attempt to take, catch or kill fish at any time by any device or means or by the use of dynamite or other explosives, poison or other deleterious material in any of the private ponds, private lakes, private pools or private reservoirs of this State, without permission of the owner thereof. To provide for penalties for the violation of any of the provisions of this Act. To provide for the disposition of fines, forfeitures and penalties arising from violations of this Act. To repeal Sections 69 and 75, Title 8 of the 1940 Code of Alabama. To repeal all laws in conflict herewith and to provide for the time when this Act shall become effective and for other purposes.

Mr. Johnson (Chambers), Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Jones, Whatley, Farmer, Skidmore, Foster, Hollis, High, Fant, Norrell, Benson, Reneau, Thagard, Andrews and Sollie (With amendment):

S. 426. To declare, designate, and name certain parts of the State Highways as Paradise Drive.

Mr. Johnson (Chambers), Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. High:

S. 480. To authorize any county which has entered into a contract with the State Highway Department, pursuant to the provisions of the Farm to Market Road Act of 1943, as heretofore or hereafter amended, to anticipate by the sale and issuance of its interest bearing warrants the receipt of any moneys to be paid to such county under such contract; to provide that such warrants shall be payable solely from the moneys received by the county pursuant to such contract and, if the county so elects, also out of all or any part of such county's share of the state gasoline tax allocated to such county under Section 655 and Section 657, as amended, of Title 51 of the Code of Alabama of 1940; to provide that any two or more such contracts between a county and the State Highway Department may be treated as a unit for the purpose of the issuance of such warrants; to authorize the pledge, transfer and assignment for the benefit of such warrants of the moneys out of which they are payable; to provide that such warrants shall be issued only with the consent of the Director of the State Highway Department and that such consent shall be conclusive evidence of the validity of the contract or contracts with respect to which the consent is given and of compliance by the county with all conditions precedent to the payment of the state's contribution under such contract, except completion of any road construction at the time uncompleted; and to provide the purposes for which the proceeds from such warrants may be used.

By Mr. High:

S. 479. To amend the caption and Sections 3, 5, 6, 12, and 14 of the



Farm to Market Road Act of 1943 (Act No. 329 adopted at the 1943 Regular Session of the Legislature), as heretofore amended, so as to eliminate all provisions pertaining to or restricting the source of the funds from which any county pays its share of the cost of constructing county roads under said act as amended; so as to eliminate all provisions therein respecting the setting aside by resolution of county funds from a specified source for the purposes of the said act, as amended; so as to provide that any anticipation of moneys for the purposes of said act, as amended, shall be governed by the applicable general law; so as to eliminate the provision permitting a county to contribute more than one-half the cost of constructing county roads under said act, as amended; so as to provide that the cost of constructing county roads under contracts hereafter made pursuant to said act, as amended, shall be computed on a negotiated unit price basis; so as to provide that counties may advance the share or contribution to be paid from the State County Aid Fund for any such road and may anticipate such contribution to the extent permitted by law; and so as to include provisions respecting the effect of non-performance by any county of an agreement for maintenance of roads constructed under said act, as amended.

Mr. Locke (Choctaw), Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

H. 728. To further amend Section 55 of Title 47 of the Code of Alabama of 1940.

By Mr. Skidmore:

S. 582. To amend Section 46, Title 8 of the 1940 Code of Alabama.

Mr. Eddins, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Merrill:

H. 19. To impose extra, new, and additional duties upon the chairman or president and members of the county governing bodies of the several counties of the State, by whatever name called; to provide additional compensation for the performance of such duties; and to provide for the payment of such compensation.

By Mr. Fite (Walker):

H. 105. To authorize and direct the State Toxicologist to conduct training schools or training courses for coroners to study crime detection, and to authorize county governing bodies to provide for the payment of expenses incurred by coroners attending the same.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan (With amendment):

H. 92. Relating to taxation: To exempt insecticides from the State's sales and use taxes.

By Mr. Givhan (With amendment):

H. 93. Relating to taxation: To exempt feedstuffs from the State's sales and use taxes.

By Mr. Givhan (With amendment):

H. 94. Relating to taxation: To exempt fungicides from the State's sales and use taxes.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bills, your signature thereto is requested.

H. J. R. 90. Designating House Bills 744, 745, 746, 747.

Also:

H. 634. Relating to Winston County; imposing extra, new, and additional duties upon the members of the Court of County Commissioners and providing additional compensation to such members for their performance thereof.

Also:

H. 703. Authorizing, empowering and directing the Judge of Probate of Marshall County, Alabama, to record all minutes, judgments, orders and decrees of the Probate Court or decrees made and entered by the Probate Court in the Book of Final Records of said Court instead of having them recorded in the Minutes in said Court separate and apart from the Final Record and provides when this Act shall become effective.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution, the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Russell, Harrison (Shelby), White (Covington), Shelton, Baker, Martin, Dawkins, Morgan (Jefferson), Pflieger, and Kendall:

H. 263. To make annual appropriations for the support, maintenance and development of public education in Alabama for each of the fiscal years ending September 30, 1952, and September 30, 1953, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind, and for the Teachers' Retirement System.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message

from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 263—To the Committee on Finance and Taxation.

#### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 37. Honoring the memory of sons and daughters of Alabama and all the nation who gave their lives for their country in the wars in which the United States has participated.

And said Resolution was then adopted by the Senate.

#### RESOLUTIONS

Mr. Jones offered the following Senate Resolution, to-wit:

S. R. 61. Be it resolved by the Senate, That the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama, or a majority of them, are respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in connection with Section 1, Item IV (16) of H. B. 262, the general appropriation bill now pending before this body, which is in words and figures as follows:

#### (16) DEPARTMENT OF VETERANS AFFAIRS:

For salary of Service Commissioner.....	5,700.00
For other salaries.....	314,300.00
For other expenses.....	32,000.00
For equipment purchases.....	1,000.00
For contract with Veterans of Foreign Wars Organization.....	16,000.00
For contract with Disabled American Veter- ans Organization.....	4,000.00
Total.....	373,000.00

1. Does the proposed appropriation of funds to the Department of Veterans' Affairs "For contract with Veterans of Foreign Wars Organization" violate Section 71 of the Constitution of Alabama?

2. Does the proposed appropriation "For contract with Disabled American Veterans Organization" violate Section 71 of the Constitution of Alabama?

3. Can the proposed appropriations designated in Questions 1 and 2 be included in the general appropriation bill without violating Section 71 of the Constitution of Alabama?

4. If your answers to Questions 1 and 2 are in the negative, will the passage of these items or the bill require a vote of two-thirds of all the members elected to each house as provided in Section 73 of the Constitution?

Be it resolved further, That the Secretary of the Senate is directed to transmit forthwith four copies of this Resolution to the Clerk of the Supreme Court of Alabama.

Which was read and referred to the Standing Committee on Rules.

The Rules Committee offered the following Senate Joint Resolution, to-wit:

S. J. R. 62. Be it resolved by the Senate, the House concurring, that when the two houses adjourn today they adjourn to meet again Tuesday, Aug. 14 at 10:00 A. M. and when the two houses adjourn on Tuesday, Aug. 14, they adjourn to meet again on Thursday, Aug. 16 at 10:00 A. M. and when the two houses adjourn on Thursday, Aug. 16, they adjourn to meet again on Friday, Aug. 17 at 10:00 A. M.

And said Resolution was adopted by the Senate.

### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate without recommendation, to-wit:

S. R. 58. Requesting Supreme Court opinion concerning constitutional questions in connection with S. B. 468, H. B. 831 and H. B. 834.

On motion of Mr. Todd, further consideration of the Resolution was indefinitely postponed by the Senate.

Yeas 20; Nays 9.

#### Yeas:

Messrs.:	High	Locke (Choctaw)	Reneau
Andrews	Hollis	Locke (Perry)	Robison
Benson	Johnson (Chambers)	McCary	Skidmore
Clayton	Jones	Norrell	Smith
Fant	Larkins	Phillips	Todd
Foster			

—20

#### Nays:

Messrs.:	Byars	Richardson	Whatley
Bonner	Golson	Sollie	Wright
Boutwell	Johnston (Mobile)		

—9

### RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 63. BE IT RESOLVED BY THE SENATE, That when bills on third readings are reached on the Twenty-eighth Legislative Day, the following bills in the order listed, shall be special, paramount and continuing order of business:

All local and General Bills of local application

S. B. 355	Page 73
S. B. 257	Page 32
S. B. 501	Page 19
S. B. 149	Page 5
S. B. 475	Page 34
S. B. 474	Page 35
S. B. 560	Page 33
H. B. 274	Page 7
S. B. 33	Page 9
S. B. 457	Page 22
S. B. 536	Page 33
S. B. 385	Page 6
S. B. 366	Page 5

S. B. 440	Page 26
S. B. 559	Page 36
S. B. 473	Page 27
S. B. 531	Page 35
H. B. 116	Page 7
S. B. 89	Page 33
S. B. 165	Page 8
S. B. 78	Page 9
S. B. 396	Page 22
S. B. 315	Page 8
S. B. 332	Page 20
S. B. 533	Page 35
S. B. 284	Page 25
H. B. 348	Page 5
H. B. 177	Page 38
S. B. 231	Page 15
S. B. 437	Page 8
S. B. 141	Page 15
S. B. 143	Page 14
S. B. 138	Page 15
S. B. 137	Page 13
H. B. 325	Page 30
S. B. 308	Page 5
S. B. 359	Page 23

Which was adopted.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Oden, Merrill, Fite (Marion) and Fite (Walker):

#### HOUSE JOINT RESOLUTION 92

WHEREAS, the American Legion and the Veterans of Foreign Wars are the two leading veterans organizations in the State of Alabama, and

WHEREAS, these two organizations represent approximately sixty thousand veterans in the State of Alabama from World War I and II, and

WHEREAS, each year the American Legion and the Veterans of Foreign Wars have National Encampments respectively in two of the countries leading cities and at such encampments or conventions large delegations of their members gather from every State in the Union, D. C., Hawaii, Alaska, Puerto Rica, the Philippine Islands and most of the cities in this great country of ours, and,

WHEREAS, at each encampment or convention of these two great organizations there is a very large parade in which the delegates from all the states and territories, as well as many others participate, such parade being the climax of such encampment or convention, and

WHEREAS, many thousands of people come from far and wide to witness such parades, and

WHEREAS, the various states in the Union take advantage of the same to try to make as impressive a showing as possible for such state,

many sending bands, floats, highway patrol units, etc. in order to advertise such state among the delegates and visitors from other states, and

WHEREAS, it is felt that this is an excellent medium through which to advertise the State of Alabama and its vast resources and opportunities at a minimum of cost, and

WHEREAS, in 1951 each will have their respective encampments or conventions, the V. F. W. Encampment being in New York and the American Legion Convention being in Miami, Florida, in August;

NOW THEREFORE, BE IT HEREBY RESOLVED, by both Houses of the Legislature of Alabama duly assembled, with the concurrence of the Governor of the State of Alabama, that at the respective encampment or convention of each organization mentioned above, viz, the American Legion and the Veterans of Foreign Wars, in 1951, that the State Highway Patrol send four patrol cars and four motorcycles to the encampment or convention of each such organization, and that the Governor of the State of Alabama be respectively requested to order such Highway Patrol cars and motorcycles to attend such encampment or convention since both will be beyond the borders of the State and such order by him is necessary or required by law, and

BE IT FURTHER RESOLVED, by both Houses of the Legislature duly assembled, with the concurrence of the Governor of the State of Alabama, that in 1951 a band or drum and bugle corps be also sent to each of the above mentioned encampments or conventions, and also the float which comprises a replica of the State of Alabama, depicting the resources or beauty, etc. of the Capitol of the State of Alabama, and to be sent to such encampment or convention of such organizations by the State Planning Commission, of the State of Alabama, and/or the Bureau of Records and Reports and/or any other Commission, Bureau or Department of the State of Alabama having money available for such purpose.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 92, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended had adopted the following joint resolution:

By Mr. Andrews:

S. J. R. 56. Relative to the Legislature of Alabama urging and recommending to the United States Congress that it take such steps as may be necessary to preserve the 31st Division as a unit composed of the National Guard of the States of Alabama and Mississippi.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Andrews the Senate concurred in and adopted the following House amendment to the Resolution, S. J. R. 56, the title of which is set out in the foregoing Message from the House:

Amendment to S. J. R. No. 56:

Amend S. J. R. No. 56 by adding the following at the end of paragraph 6, "and that other national guard units from this State be likewise held intact."

### MOTION IN WRITING

Mr. Bonner offered the following motion in writing:

"I move that the Senate Committee on Finance and Taxation be and it is hereby requested to report to this Senate S. B. 432 on Tuesday of next week and that such report be made when the order of business is reached designated as "Reports from Standing Committees."

And on motion of Mr. Boutwell said motion was laid on the table.

Yeas 19; Nays 13.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore	
Andrews	Foster	Phillips	Sollie	
Boutwell	Golson	Pinson	Todd	
Byars	Hollis	Reneau	Whatley	
Clayton	Johnston (Mobile)	Robison	Wright	—19

Nays:

Messrs.:	Fant	Jones	McCary	
Benson	Farmer	Larkins	Norrell	
Bonner	High	Locke (Perry)	Richardson	—13
Eddins	Johnson (Chambers)			

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 166. To amend Title 22, Section 199, Code of Alabama of 1940, as amended, which relates to care of tubercular patients.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 81; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length, and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 79; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama  
Gentlemen:

I herewith transmit to you a message from the Governor relative to the Board of Trustees of Alabama College.

Respectfully submitted,  
**VERNON MERRITT, JR.,**  
Executive Secretary.

August 10, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the Board of Trustees of Alabama College, located at Montevallo, Alabama:

Mrs. Isaac Riley..... Ozark  
From the Third District, to succeed Hon. Alto V. Lee, III, resigned, for the term expiring in January, 1963.

Respectfully,  
GORDON PERSONS,  
Governor.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor relative to the confirmation of Mrs. Isaac Riley as member of the Board of Trustees of Alabama College, was read and referred to the Standing Committee on Rules.

### UNFINISHED BUSINESS

#### BILLS ON THIRD READING

The Senate proceeded to consideration of the unfinished business of yesterday, which was the motion of Mr. Reneau to reconsider the vote by which the Bill:

S. 438. To amend Sections 4, 19, 23, 24, 25, and 36, Title 29, Code of Alabama 1940 which relates to the Alabama Alcoholic Beverage Control Board regulating intoxicating liquor.

was ordered to its third reading and engrossment, and said vote was reconsidered.

Mr. Boutwell moved that the Senate reconsider the vote by which the following amendment to the Bill was laid on the table.

Amendment to Senate Bill 438

Amend Senate Bill 438 as follows:

By striking out of the first paragraph of Sec. four the words "Ten Thousand" and inserting in lieu thereof the words "Seventy-Five Hundred".

And the Senate did reconsider said vote.

And said amendment was then adopted by the Senate.

Yeas 25; Nays 1.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Richardson	
Andrews	Farmer	Jones	Robison	
Benson	Faulkner	Locke (Choctaw)	Smith	
Boutwell	Foster	Phillips	Sollie	
Byars	High	Pinson	Todd	
Clayton	Hollis	Reneau	Whatley	
Eddins	Johnson (Chambers)			—25

Nay: Mr. McCary —1



And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison
Andrews	Faulkner	Locke (Perry)	Skidmore
Benson	Foster	Norrell	Smith
Boutwell	High	Phillips	Sollie
Byars	Hollis	Pinson	Todd
Clayton	Johnson (Chambers)	Reneau	Whatley
Eddins	Johnston (Mobile)	Richardson	Wright
Fant	Jones		

—29

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Shelton, White (Covington) and Miller:

#### HOUSE JOINT RESOLUTION NO. 95

WHEREAS, the cost of operating the public school system of the State is increasing from year to year, and

WHEREAS, the members of the Legislature are vitally interested in securing the best public school teachers available to teach in the schools of the State and to pay such teachers the maximum possible salaries from the funds available, and

WHEREAS, the method of distributing school funds for the various purposes for which they are used is complicated and not easily comprehended by many of the members of the Legislature, and

WHEREAS, the members of the Legislature desire to promote harmony between the supervisory school authorities, the public school teachers, the public and the Legislature, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. A joint legislative committee is hereby created to study and investigate the public schools of the State and all phases of the operation thereof, and to make such recommendations for changes in the public school system as the committee may find advisable. In making its investigation and studies the committee may call on the Department of Examiners of Public Accounts, the Legislative Council, the State Department of Education or other State agencies for information and assistance, and such agencies shall furnish all possible information and assistance to the committee when requested to do so.

2. The committee created hereby shall be composed of two members of the Senate appointed by the President of the Senate and three members of the House of Representatives appointed by the Speaker of the House. The members of the committee shall elect a chairman and vice chairman from among their number. The committee shall hold all its meetings at the State Capitol and shall meet upon the call of its chairman or a majority of its members. A majority of the members of the committee shall constitute a quorum for the transaction of business. Members of the committee shall receive ten dollars per day for each meeting of the committee they may attend plus their actual expenses incurred

in attending the meetings, but they shall not be paid for more than fifteen days. Expenses incurred shall be paid from the appropriation made to the Legislature.

3. The committee shall make a report of its findings and recommendations to the Legislature not later than the fifth day of the 1953 regular session of the Legislature.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 95, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Russell:

H. J. R. 97. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 14, 1951.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 97, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 630. To fix the salary of County Superintendent of Education in all counties of the State of Alabama having a population of not less than 45,075 and not more than 46,550 according to the 1950 Federal Census, or any subsequent Federal census, and to provide when this Act shall take effect.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amendment to H. B. 630.

Amend H. B. 630 by striking the figure 45075 wherever it appears in the Act and inserting in lieu thereof, the figure 45090.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:  
Andrews  
Benson  
Boutwell

Byars  
Clayton  
Eddins  
Faulkner

Foster  
Golson  
High  
Hollis

Reneau  
Richardson  
Robison  
Skidmore

<b>Smith</b>	<b>Thagard</b>	<b>Whatley</b>	<b>Wright</b>	
Sollie	Todd			—21
<i>Nays:</i>				—0

And said Bill, as thus amended, was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Reneau	Sollie	
<b>Andrews</b>	Faulkner	Richardson	Thagard	
<b>Benson</b>	Foster	Robison	Todd	
<b>Boutwell</b>	Golson	Skidmore	Whatley	
<b>Byars</b>	High	<b>Smith</b>	Wright	
<b>Clayton</b>	Hollis			—21
<i>Nays:</i>				—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 478. Relating to Winston County: To create and establish the County Court of Winston County, Alabama; to define its jurisdiction and powers; to invest it with the criminal and civil jurisdiction concurrent with that of the justices of the peace of the County of Winston, Alabama, and all jurisdiction of the present County Court of Winston County, Alabama; to invest it with the powers and jurisdiction in criminal cases, non-support cases and juvenile cases heretofore exercised by the Judge of Probate of Winston County, Alabama, and to withdraw and take away from the Judge of Probate of Winston County all jurisdiction conferred by this Act upon the County Court of Winston County, Alabama; to provide for the time and place of holding said Court; to provide for the Judge and officers of said Court, their powers, duties, tenure and compensation; to prescribe the fees, costs and rules of procedure of said Court.

Also:

S. 477. Relating to Winston County: To abolish the present County Court of Winston County, Alabama; to provide for the transfer of all causes pending in said Court to the County Court of Winston County, Alabama, and to provide for the disposition of all unsatisfied judgments, executions and forfeitures in said present County Court.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 504. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allow-

ances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

Also:

S. 505. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the latest federal decennial census, or which shall hereafter have such population according to any such census that may hereafter be taken, to make appropriations and expend out of their revenues an amount not in excess of two hundred dollars (\$200) per year to aid in the care of, or care for, infirmed sick persons within the corporate limits and police jurisdiction of such cities who are unable to provide and care for themselves.

Also:

S. 506. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such election to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Also:

S. 507. Relating to all cities in the State of Alabama having a population of not less than 78,000 people nor more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Also:

S. 508. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 78,000 and not more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any

pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Also:

S. 509. To authorize all counties in the State of Alabama having a population of not less than 96,000 and not more than 141,000, according to the last Federal decennial census, or which shall hereafter have such population according to any Federal census, that may hereafter be taken, to make appropriations and expend out of their funds and revenues an amount not exceeding \$200.00 per annum to aid in the care of or for infirm sick persons, where such infirm sick persons are cared for within the corporate limits and police jurisdiction of any city situated within such county, who are unable to provide and care for themselves.

Also:

S. 511. To provide for the appointment of a humane officer in all counties in this state which may now have or which hereafter have a population of ninety-six thousand people and less than one hundred forty-one thousand people according to the last Federal census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties.

And return same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 159. To impose extra, new, and additional duties upon the Secretary of the Senate and the Clerk of the House, providing additional compensation for the performance of such duties.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### BILLS ON THIRD READING RESUMED

The Bill:

S. 527. To provide additional duties for the judge of county courts, and additional duties for the constable of county courts, where such county courts have been created by the Legislature of Alabama in all counties in Alabama having a population of not less than eighty thousand inhabitants and not more than ninety four thousand inhabitants, according to the preliminary count of the 1950 Federal census or any subsequent Federal census; and to provide compensation or salary for the additional duties to be performed by said judge; and to provide compensation or pay for the additional duties to be performed by the constable of said court and to compensate or pay said constable for services rendered for attendance upon said court since the first Monday after the second Tues-

day in January, 1949, and to regulate or provide for the issuance of executions by the clerk of said courts.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Skidmore	
Andrews	Fant	Hollis	Smith	
Benson	Farmer	Reneau	Sollie	
Boutwell	Faulkner	Richardson	Thagard	
Byars	Foster	Robison	Todd	
Clayton	Golson			—21

Nays: —0

The Bill:

S. 528. Relating to Tuscaloosa County: Authorizing and requiring the governing body of Tuscaloosa County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall, subject to the county civil service system, select, fix the compensation of, and have the right to discharge their respective clerks, deputies and assistants; providing that the maximum amount of the combined salaries of clerks, deputies and assistants in each of such offices shall be determined by the county governing body; and providing that the salaries and compensation provided under the provisions hereof shall be in lieu of all other compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Jones	Skidmore	Whatley	
Fant	Larkins	Smith	Wright	
Farmer	McCary			—21

Nays: —0

The Bill:

S. 540. Relating to county courts in counties having populations of not less than 80,000 nor more than 94,000 inhabitants; imposing extra, new, and additional duties upon the constables of such courts and providing them additional compensation for their performance thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0:

Yeas:

Messrs.:	Byars	Farmer	Jones
Andrews	Clayton	Golson	Larkins
Benson	Eddins	High	McCary
Boutwell	Fant	Hollis	Norrell

<b>Phillips</b>	<b>Reneau</b>	<b>Whatley</b>	<b>Wright</b>	
Pinson	Todd			—21
<i>Nays:</i>				—0

The Bill:

S. 541. To impose new and additional duties on the solicitor of the Sixteenth Judicial Circuit; to provide him additional compensation for the performance of such duties and provide for the method of paying such compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Larkins	Smith	
<b>Andrews</b>	Fant	McCary	Sollie	
<b>Benson</b>	Farmer	Norrell	Todd	
<b>Boutwell</b>	High	Phillips	Whatley	
<b>Byars</b>	Hollis	Pinson	Wright	
<b>Clayton</b>	Jones			—21
<i>Nays:</i>				—0

The Bill:

S. 542. Relating to counties having populations of not less than 80,000 nor more than 94,000 inhabitants; providing for the furnishing of equipment, supplies, clerks, deputies and other assistants for certain county officers in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Larkins	Reneau	
<b>Andrews</b>	Foster	McCary	Richardson	
<b>Benson</b>	Golson	Norrell	Smith	
<b>Boutwell</b>	High	Phillips	Sollie	
<b>Byars</b>	Hollis	Pinson	Todd	
<b>Clayton</b>	Jones			—21
<i>Nays:</i>				—0

The Bill:

S. 543. To amend Section 2 of Act No. 436, H. 852, approved September 25, 1947 (General Acts of Alabama, 1947, page 316), which provides for a chief clerk for the circuit solicitor in all judicial circuits composed of only two counties, one of which counties is divided into two judicial divisions, and having only two judges.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Boutwell	Eddins	Faulkner
<b>Andrews</b>	Byars	Fant	Foster
<b>Benson</b>	Clayton	Farmer	Golson



High	Larkins	Sollie	Whatley	
Hollis	Reneau	Todd	Wright	
Jones	Smith			—21

*Nays:* —0

The Bill:

S. 544. Relating to county courts in counties having a population of not less than 80,000 nor more than 94,000 inhabitants; imposing extra, new, and additional duties upon the judges of such courts, and providing additional compensation for the performance thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	McCary	Richardson	
Andrews	Faulkner	Norrell	Robison	
Benson	Foster	Phillips	Skidmore	
Boutwell	Golson	Pinson	Smith	
Byars	High	Reneau	Sollie	
Clayton	Hollis			—21

*Nays:* —0

The Bill:

S. 548. Relating to counties having populations of not less than 80,000 nor more than 94,000 inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a division of any such county into forest protection districts, imposing extra, new, and additional duties upon the president or chairman and members of the county governing body with respect to such districts, and providing additional compensation for the performance of such additional duties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Robison	
Andrews	Fant	Hollis	Skidmore	
Benson	Farmer	Jones	Smith	
Boutwell	Faulkner	Larkins	Sollie	
Byars	Foster	Pinson	Todd	
Clayton	Golson			—21

*Nays:* —0

The Bill:

S. 549. Relating to the office of circuit clerk of any county having a population of not less than 63,750 nor more than 72,500 inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the United States; fixing the salary of the circuit clerk and providing for his clerical assistance, supplies, and office space.

was taken up.

Mr. Wright offered the following amendment to the Bill, to-wit:

Amendment to S. B. 549.

Amend Section 2 of the bill by striking out the words and figures "five thousand dollars (\$5,000)" and insert in lieu thereof the words and figures "four thousand five hundred dollars (\$4,500)."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Pinson	
Andrews	Fant	Larkins	Smith	
Benson	Farmer	McCary	Sollie	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Wright	
Clayton	Hollis			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Pinson	
Andrews	Fant	Larkins	Smith	
Benson	Farmer	McCary	Sollie	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Wright	
Clayton	Hollis			—21

Nays: —0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Gallalee, Pfleger and Wilkins:

H. 891. To amend Section 189 of Title 51 of the Code of Alabama of 1940 with reference to the Tax Collector keeping his Court House office open and visiting precincts for the collection of taxes.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 891—To the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Edgar:

H. 966. Relating to Choctaw County: To create and establish in Choctaw County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Choctaw County"; defining its jurisdiction; providing it with officers; defining their powers, duties, salary, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process, and the return of warrants thereto; abolishing the existing Inferior Court of Choctaw County and providing for the transfer and trial of cases pending in the abolished Inferior Court at the time this Act takes effect to the newly-created Inferior Court of Choctaw County.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that at the next session of the Legislature of Alabama a bill for a local law will be introduced, the substance of which is stated below, and application for its passage will be made:

To create and establish in Choctaw County a court of record, with county-wide limited jurisdiction of certain civil cases in which the amount involved is less than \$500, with original jurisdiction concurrent with the Circuit Court of all misdemeanors committed in the county, and with preliminary jurisdiction of felonies; abolishing the inferior court of Choctaw County created by Act No. 504, H. B. 919, approved September 30, 1947, providing for the transfer of cases pending, and authorizing the new court to control judgements rendered by the abolish court; providing for the appointment and election of a judge of the court established, fixing his term, prescribing his qualifications and the amount of his compensation; providing that the circuit clerk shall be ex officio clerk of the court and prescribing his duties and authority and compensation; fixing the costs and charges collectible in the court and providing for their distribution; providing that the sheriff or his deputy shall attend the sessions of the court and execute the processes thereof and prescribing his compensation for such services; providing that the deputy solicitor of Choctaw County shall prosecute for the State all cases in the court without additional compensation; fixing the times for holding sessions of the court and prescribing the procedures to be followed in the commencement and trial of cases; providing for appeals to the court from inferior jurisdictions and for appeals from judgements of the court to the circuit court; empowering the judge of the court to punish contempts by fine not exceeding five days, or both; requiring the governing body of the county to provide an office for the judge and the necessary furniture, supplies, books, and services required for transacting the court's business; and repealing conflicting laws.

5 24-4t

#### STATE OF ALABAMA CHOCTAW COUNTY

I, Matt L. Blount, Publisher of the Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the "A Bill to Be Entitled An Act" as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue date May 24, 1951, and ending with the issue dated June 14, 1951. I further certify that I have the right and authority to make this affidavit.

MATT L. BLOUNT.

Sworn to and subscribed before me this, the 14 day of June, 1951.

JANICE W. BLOUNT,  
N. P.

Also:

By Messrs. Wilkins and Pfleger:

H. 973. To amend Section 93 of Title 37 of the Code of Alabama of 1940; to fix the terms of Commissioners of cities and towns in the State of Alabama which are operating under the provisions of Article 2 of Chapter 4 of Title 37 of the Code of Alabama 1940 as amended; repealing all laws in conflict herewith and providing for the effective date of the provisions hereof.

Also:

By Messrs. Pfleger, Gallalee and Wilkins:

H. 974. To impose extra, new and additional duties upon the Circuit Solicitor of the Thirteenth Judicial Circuit; to provide additional compensation for said Solicitor for the performance of said extra, new and additional duties hereby imposed upon him and to provide for the payment of said additional compensation.

Also:

By Messrs. Wilkins, Gallalee and Pfleger:

H. 975. To amend Section 254 of Title 13 of the Code of Alabama of 1940.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 966 and 974—To the Committee on Local Legislation.

H. B.'s 973 and 975—To the Committee on Judiciary.

#### BILLS ON THIRD READING RESUMED

The Bill:

S. 550. Relating to counties having populations of not less than 63,750 nor more than 72,500 inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the United States; fixing the compensation of the Sheriff of any such county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Larkins	Smith
Andrews	Foster	McCary	Sollie
Benson	Golson	Norrell	Todd
Boutwell	High	Phillips	Whatley
Byars	Hollis	Pinson	Wright
Clayton	Jones		

—21

Nays:

—0

The Bill:

S. 551. Authorizing and directing the governing body of Lawrence

County to make an appropriation for the relief of W. K. Cartee.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Smith	
Andrews	Fant	Jones	Sollie	
Benson	Farmer	Larkins	Todd	
Boutwell	Foster	Reneau	Whatley	
Byars	Golson	Richardson	Wright	
Clayton	High			—21

Nays: —0

The Bill:

S. 552. To amend Act No. 84 of Local Acts of 1947 page 60, entitled "An Act to allow the Sheriff of Lawrence County, Alabama, an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments" to provide that the additional deputy sheriff provided for by said Act shall receive a salary of not less than \$1800.00 nor more than \$2400.00 per annum, to be paid in twelve equal monthly installments out of the General Funds of Lawrence County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Norrell	Smith	
Boutwell	High	Phillips	Sollie	
Byars	Hollis	Pinson	Todd	
Clayton	Jones	Reneau	Whatley	
Eddins	Larkins	Richardson	Wright	
Fant	McCary			—21

Nays: —0

The Bill:

S. 553. To authorize the governing body of Washington County, Alabama to provide from the county general fund for payment of, and to fix the salary of an additional deputy sheriff, to be appointed by the sheriff, for Washington County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	McCary	Smith	
Andrews	Fant	Norrell	Sollie	
Benson	Farmer	Phillips	Todd	
Boutwell	Jones	Pinson	Whatley	
Byars	Larkins	Reneau	Wright	
Clayton	Locke (Choctaw)			—21

Nays: —0

## The Bill:

S. 554. Relating to the circuit solicitor of judicial circuits having two judges and being composed of only two counties, one of which has a population of not less than seventy-three thousand one hundred nor more than ninety-three thousand five hundred; providing him with a chief clerk; prescribing the duties, powers, functions, compensation and method of selection of such clerk; and providing for a travel allowance for such solicitor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

## Yeas:

Messrs.:	Eddins	High	Reneau	
Andrews	Fant	Hollis	Richardson	
Benson	Farmer	Jones	Todd	
Boutwell	Faulkner	Larkins	Whatley	
Byars	Foster	McCary	Wright	
Clayton	Golson			—21

## Nays:

—0

## The Bill:

S. 556. Relating to counties having a population of not less than sixty-four thousand nor more than seventy-nine thousand inhabitants; to fix the compensation of the coroner.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

## Yeas:

Messrs.:	Faulkner	Larkins	Smith	
Andrews	Foster	McCary	Sollie	
Benson	Golson	Norrell	Todd	
Eddins	High	Phillips	Whatley	
Fant	Hollis	Pinson	Wright	
Farmer	Jones			—21

## Nays:

—0

## The Bill:

S. 568. Relating to counties which have populations of not less than 30,000 nor more than 40,000 inhabitants, according to the 1950 or any subsequent decennial census of the United States, and two courthouses; providing for the appointment of a deputy sheriff in addition to the chief deputy in the office of the sheriff, and to provide for the payment of his compensation.

was taken up.

Mr. Larkins offered the following amendment to the Bill, to-wit:

Amend the title and Section 1 of S. B. 568 by striking out the figures "40,000" and inserting in lieu thereof the figures "33,500".

Which was adopted.

Yeas 21; Nays 0

*Yeas:*

Messrs.:	Eddins	High	Smith	
Andrews	Fant	Hollis	Sollie	
Benson	Farmer	Jones	Todd	
Boutwell	Faulkner	Larkins	Whately	
Byars	Foster	Pinson	Wright	
Clayton	Golson			—21

*Nays:* —0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Smith	
Andrews	Fant	Hollis	Sollie	
Benson	Farmer	Jones	Todd	
Boutwell	Faulkner	Larkins	Whately	
Byars	Foster	Pinson	Wright	
Clayton	Golson			—21

*Nays:* —0

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 159. To impose extra, new, and additional duties upon the Secretary of the Senate and the Clerk of the House, providing additional compensation for the performance of such duties.

Also:

S. 506. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such election to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Also:

S. 507. Relating to all cities in the State of Alabama having a population of not less than 78,000 people nor more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; pro-

viding for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

HERBERT B. BYARS,  
Chairman.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 93. Relative to expressing hope for the recovery of Truman A. Simpson and sympathy for his family.

Also:

H. J. R. 37. Relative to paying tribute to the memory of the heroes of all wars in which the U. S. has participated.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 570. Relating to cities having a population of not less than 35,000 nor more than 55,000 inhabitants; authorizing such cities to levy and collect privilege license taxes on the sale of malt or brewed beverages within their police jurisdictions at the same rate as such taxes are levied within their corporate limits.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	McCary	Smith
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Todd
Fant	Hollis	Pinson	Whatley
Farmer	Jones	Skidmore	Wright
Faulkner	Larkins		



*Nays:*

—0

The Bill:

H. 139. To authorize the county governing bodies of all counties having a population of not less than 75,000 nor more than 135,000 inhabitants according to the last or any future regular decennial Federal Census to provide for the use of paper ballots or ballot boxes as well as voting machines at voting places in the county where voting machines are used, at any primary, municipal or general election.

was taken up.

Mr. High offered the following amendment to the Bill, to-wit:

Amend House Bill 139 as follows:

By striking from the title and body of said Bill the words and figures "75,000" wherever they appear, and substituting therefor the words and figures "80,000", and by striking from the title and body of said Bill the words and figures "135,000" wherever they appear, and substituting therefor, the words and figures "94,000".

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Farmer	Phillips	Smith	
<b>Andrews</b>	Golson	Pinson	Sollie	
<b>Benson</b>	High	Reneau	Todd	
<b>Clayton</b>	Hollis	Richardson	Whatley	
Eddins	Jones	Skidmore	Wright	
Fant	Larkins			—21

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Farmer	Phillips	Smith	
<b>Andrews</b>	Golson	Pinson	Sollie	
<b>Benson</b>	High	Reneau	Todd	
<b>Clayton</b>	Hollis	Richardson	Whatley	
Eddins	Jones	Skidmore	Wright	
Fant	Larkins			—21

*Nays:*

—0

The Bill:

H. 445. To require extra, new and additional duties of the Clerk of the Circuit Court of DeKalb County, Alabama; and to provide extra compensation for the performance of such duties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Boutwell	Eddins	Foster
<b>Andrews</b>	Byars	Fant	Golson
<b>Benson</b>	Clayton	Faulkner	High

Hollis	McCary	Pinson	Sollie	
Jones	Norrell	Smith	Todd	
Larkins	Phillips			—21

*Nays:* —0

The Bill:

H. 534. Relating to Blount County: To provide for the nomination and election of members of the Board of Education of Blount County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Hollis	Phillips	
Andrews	Fant	Jones	Pinson	
Benson	Farmer	Larkins	Smith	
Boutwell	Foster	McCary	Sollie	
Byars	Golson	Norrell	Todd	
Clayton	High			—21

*Nays:* —0

The Bill:

H. 580. To impose additional duties upon the chairman and associate members of the Board of Revenue of DeKalb County, Alabama, and providing additional compensation therefor.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Norrell	
Andrews	Fant	Hollis	Phillips	
Benson	Farmer	Jones	Pinson	
Boutwell	Faulkner	Larkins	Reneau	
Byars	Foster	McCary	Smith	
Clayton	Golson			—21

*Nays:* —0

The Bill:

H. 670. To create and establish a Board of Commissioners and Control of Cullman County, Alabama, in place of the present Board of Revenue and Road and Bridge Commissioner now existing in Cullman County, to consist of four members, and a Chairman of said Board, and one member to be from each of the four districts of the County; to abolish the Board of Revenue of Cullman County; to abolish the Road and Bridge Commissioner of Cullman County; to divide said County into four districts and to define the boundaries of each district; to fix the term of office, compensation, and duties of each, and to provide for the qualifications and election of such members and their successors from each of four districts, and the qualifications and election of the Chairman, and the election of his successor, and to fix his term of office; to provide the time and place of holding regular meetings of said Board; to confer upon said Board all the authority, jurisdiction and power granted to the Board of Revenue established and created by an Act of the Legislature of Alabama that became law on September 14, 1939, under Section 125 of the Constitution, Local Acts 1939, page 244; to con-

fer upon said Chairman and Board respectively all the authority, jurisdiction and power granted to the Road and Bridge Commissioner of Cullman County, Alabama, by Act of the Legislature of Alabama approved February 15, 1939, Local Acts of 1939, page 13; to constitute each member of the Board District Supervisor for all public roads within his district; to provide that the Chairman fix a wage and salary scale for all employees engaged in work on the public roads of the County and to require that the same be uniform throughout the County; to provide that all supplies, material and equipment for the County and offices and officers of the County, and the Courthouse and jail, and other buildings, be purchased by the Chairman of the Board on order of the Board made at regular meetings of the Board on Monday after posting a purchase notice on the bulletin Board situated by the door of his office in the Courthouse requesting bids therefor, and requiring the Chairman to accept the lowest responsible bid and prescribing the procedure to be observed in making purchases and the records thereof to be made; to provide that Cullman County shall not be liable in any form on account for the price, value, or use of any property not purchased as provided for in this Act; to authorize the Chairman to make contracts for the purchase of gasoline, fuel oil, motor oil, cylinder oil, tires and tubes, machinery and equipment used in connection with the construction and maintenance of public roads and bridges in Cullman County, or either of them, and provide the manner of making of such contracts; to authorize each member of the Board in emergencies and in cases where work on the roads within his district would be otherwise unduly delayed to purchase for the county needed equipment and materials at a cost not to exceed Fifty (\$50.00) Dollars, and to provide the method of making such purchases and to require that all claims against the County for the same state the Number of the district for which such property was sold, and the number of the purchase order pertaining thereto; to authorize each member of the Board, with the approval of the Chairman, to have repairs made to machinery and equipment used on the public roads within his district and to prescribe the manner in which said repair order shall be made for such repairs; to provide for the upkeep and repair of the Courthouse and jail and equipment and fixtures therein; to provide for the keeping of records by the Chairman and provide for clerical and stenographic assistance to the Chairman and to limit the cost thereof; to provide for the purchase by the Chairman of certain materials and equipment for his office, and provide the hours during which his office shall be open; to provide for official bonds to be given by the Members and Chairman of the Board to be approved by the Probate Judge; to provide a method for filling vacancies in the office of members of the Board and Chairman of the Board; to provide that one-half of the compensation of the Members and Chairman of the Board and stenographic and clerical assistance to the Chairman be paid out of the General Fund of the County, and one-half from the road and bridge funds of said county; to define what funds shall constitute the Road and Bridge funds of Cullman County, Alabama, and to provide that the Chairman shall be the custodian of said fund; to provide that all claims against the County in connection with the construction and maintenance of public roads and bridges of Cullman County, Alabama, be paid out of said fund upon warrants drawn by the Chairman; to prescribe the duties and responsibilities of the Members of the Board on the one hand and the Chairman of the Board on the other hand, respectively, to the establishment, construction and maintenance of the public roads of Cullman County; to repeal all laws in conflict with this Act, and to expressly repeal an Act of the Legislature of Alabama, approved February 15, 1939, Local Acts 1939, page 13, and a Local Act of the Legislature of Alabama, which became law September 14, 1939, under Section 125 of the Constitution, Local Acts 1939, page 244, and to fix the effective date of this Act and the effective date of the repeal of said Local Acts.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

<b>Messrs.:</b>	Eddins	High	Norrell	
<b>Andrews</b>	Fant	Hollis	Phillips	
<b>Benson</b>	Farmer	Jones	Pinson	
<b>Boutwell</b>	Faulkner	Larkins	Smith	
<b>Byars</b>	Foster	McCary	Sollie	
<b>Clayton</b>	Golson			—21

*Nays:*

—0

The Bill:

H. 769. To alter and rearrange the corporate limits of the City of Birmingham so as to include therein part of the territory located in Section 11, Township 17, Range 3, West in Jefferson County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

<b>Messrs.:</b>	Eddins	Jones	Smith	
<b>Andrews</b>	Fant	Larkins	Sollie	
<b>Benson</b>	Farmer	Phillips	Todd	
<b>Boutwell</b>	Golson	Pinson	Whatley	
<b>Byars</b>	High	Richardson	Wright	
<b>Clayton</b>	Hollis			—21

*Nays:*

—0

The Bill:

H. 793. To repeal Chapter 12, Title 12, Code of Alabama, 1940, which relates to civil service systems in counties having a population of two hundred thousand inhabitants or more according to the 1930 federal census and certain municipalities therein.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

<b>Messrs.:</b>	Eddins	High	Norrell	
<b>Andrews</b>	Fant	Hollis	Phillips	
<b>Benson</b>	Farmer	Jones	Pinson	
<b>Boutwell</b>	Faulkner	Larkins	Smith	
<b>Byars</b>	Foster	McCary	Sollie	
<b>Clayton</b>	Golson			—21

*Nays:*

—0

The Bill:

H. 799. Relating to Pickens County; dividing the county into forest protection districts; imposing certain duties upon the members of the Court of County Commissioners of said county with respect to such districts, and fixing their compensation for the performance of such an ex-officio duties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Hollis	Phillips	
Andrews	Fant	Jones	Pinson	
Benson	Farmer	Larkins	Todd	
Boutwell	Foster	McCary	Whatley	
Byars	Golson	Norrell	Wright	
Clayton	High			—21

*Nays:* —0

The Bill:

H. 816. To authorize the Tax Collector of Counties having a population of 400,000 or more, according to the last or any subsequent Federal Census, to send notices of the amount of tax due through the United States Mail, and to authorize the payment of the cost of postage thereof by the County Commission.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Norrell	
Andrews	Fant	Hollis	Phillips	
Benson	Farmer	Jones	Pinson	
Boutwell	Faulkner	Larkins	Smith	
Byars	Foster	McCary	Sollie	
Clayton	Golson			—21

*Nays:* —0

The Bill:

H. 819. Relating to Choctaw County; providing for the election of the members of the County Board of Education.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Locke (Choctaw)	Reneau	
Andrews	Fant	McCary	Richardson	
Benson	Farmer	Norrell	Todd	
Boutwell	Faulkner	Phillips	Whatley	
Byars	Jones	Pinson	Wright	
Clayton	Larkins			—21

*Nays:* —0

The Bill:

H. 824. Relating to Baldwin County: proposing an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts in Baldwin County, and the fees, commissions, percentages, allowances and salary of, and the method of compensating any officer of Baldwin County; and ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Reneau	
Andrews	Farmer	Larkins	Smith	
Benson	Faulkner •	McCary	Sollie	
Boutwell	Foster	Norrell	Todd	
Byars	Golson	Phillips	Whatley	
Clayton	High	Pinson	Wright	
Eddins	Hollis			—25

Nays: —0

The Bill:

H. 825. Relating to Baldwin County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Reneau	
Andrews	Fant	Hollis	Richardson	
Benson	Farmer	Jones	Smith	
Boutwell	Faulkner	Larkins	Sollie	
Byars	Foster	Pinson	Todd	
Clayton	Golson			—21

Nays: —0

The Bill:

H. 832. Relating to Marion County: To amend Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Smith	
Andrews	Farmer	Jones	Sollie	
Benson	Faulkner	Larkins	Todd	
Byars	Foster	Reneau	Whatley	
Clayton	Golson	Robison	Wright	
Eddins	High			—21

Nays: —0

The Bill:

H. 833. Relating to Marion County: To prohibit any mayor or recorder from assuming or exercising any jurisdiction whatsoever in any criminal prosecution for an act or offense committed outside the police jurisdiction of the municipality for which such mayor or recorder was

elected or appointed, and providing that the municipality shall be liable for a penalty at the suit of any person so prosecuted.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Smith	
Andrews	Farmer	Jones	Sollie	
Benson	Faulkner	Larkins	Todd	
Byars	Foster	Reneau	Whately	
Clayton	Golson	Robison	Wright	
Eddins	High			—21

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 630. To fix the salary of County Superintendents of Education in all counties of the State of Alabama having a population of not less than 45,090 and not more than 46,550 according to the 1950 Federal Census, or any subsequent Federal census, and to provide when this Act shall take effect.

R. T. GOODWYN, JR.,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 160. To impose extra, new, and additional duties upon the Attorney General of Alabama; to provide additional compensation for the performance of the extra, new, and additional duties hereby imposed upon him; and to provide for the payment of additional compensation for the performance of such duties.

Also:

S. 64. To amend Title 14, Section 390, of the Code of Alabama of 1940 which relates to salary of the State Toxicologist.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 834. Relating to Marion County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations

transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Smith	
Andrews	Farmer	Jones	Sollie	
Benson	Faulkner	Larkins	Todd	
Byars	Foster	Reneau	Whatley	
Clayton	Golson	Robison	Wright	
Eddins	High			—21

Nays: —0

The Bill:

H. 835. To alter and re-arrange the boundaries of the Town of Guin, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Smith	
Andrews	Farmer	Jones	Sollie	
Benson	Faulkner	Larkins	Todd	
Byars	Foster	Reneau	Whatley	
Clayton	Golson	Robison	Wright	
Eddins	High			—21

Nays: —0

The Bill:

H. 836. Relating to Marion County: To prohibit any justice of the peace or notary with powers of a justice of the peace from assuming or exercising jurisdiction in any criminal prosecution for an act committed outside the boundaries of the beat or precinct for which such justice or notary was elected or appointed, and making a violation of this Act a misdemeanor.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Smith	
Andrews	Farmer	Jones	Sollie	
Benson	Faulkner	Larkins	Todd	
Byars	Foster	Reneau	Whatley	
Clayton	Golson	Robison	Wright	
Eddins	High			—21

Nays: —0

The Bill:

H. 839. To propose and provide for the submission of an amendment to the constitution of Alabama, to empower and authorize The City of Haleyville, Alabama, a Municipal Corporation in Winston County to acquire and dispose of all kinds of property, to promote the development



of The City of Haleyville, Alabama, a Municipal Corporation in Winston County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to The City of Haleyville, Alabama, a Municipal Corporation.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Reneau	
Andrews	Farmer	Larkins	Smith	
Benson	Faulkner	McCary	Sollie	
Boutwell	Foster	Norrell	Todd	
Byars	Golson	Phillips	Whatley	
Clayton	High	Pinson	Wright	
Eddins	Hollis			—25

Nays:

—0

The Bill:

H. 831. Relating to Colbert County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Smith	
Andrews	Farmer	Norrell	Sollie	
Benson	Golson	Phillips	Todd	
Byars	High	Pinson	Whatley	
Clayton	Hollis	Reneau	Wright	
Eddins	Jones			—21

Nays:

—0

The Bill:

H. 841. Relating to Madison County: To transfer all jurisdiction of juvenile cases from the Juvenile Court of Madison County to the Inferior Court of Huntsville.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Smith	
Andrews	Fant	Hollis	Sollie	
Benson	Farmer	Jones	Todd	
Boutwell	Faulkner	Larkins	Whatley	
Byars	Foster	Pinson	Wright	
Clayton	Golson			—21

*Nays:* —0

The Bill:

H. 843. Relating to Madison County: To change the method of compensating the Sheriff of Madison County, placing him on a salary, and providing for his assistants, office space, and equipment.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Larkins	Smith	
Byars	Foster	McCary	Sollie	
Clayton	Golson	Norrell	Todd	
Eddins	High	Phillips	Whatley	
Fant	Hollis	Pinson	Wright	
Farmer	Jones			—21

*Nays:* —0

The Bill:

H. 862. To Amend Section 78 of Title 62 of the Code of Alabama of 1940 relating to the holding of inquests by the Coroner of Mobile County, Alabama, and the summoning of a physician or surgeon by the Coroner to perform an autopsy.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Larkins	Smith	
Andrews	Fant	McCary	Sollie	
Benson	Farmer	Norrell	Todd	
Boutwell	Hollis	Phillips	Whatley	
Byars	Johnston (Mobile)	Pinson	Wright	
Clayton	Jones			—21

*Nays:* —0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Wilkins and Gallalee:

H. 822. To authorize and require the City of Mobile to hereafter pay and reimburse the County of Mobile a portion of the cost of operating, maintaining and keeping in repair the Mobile County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons; to prescribe how Mobile County shall keep an account of such expenditures and present its claim therefor to the City of Mobile and

the time of payment thereof by the City of Mobile; to prescribe a rule of evidence in any suit or suits hereafter brought by the County of Mobile against the City of Mobile to recover of the City of Mobile its proportionate part of any such expenditures: to provide how admissions to said hospital shall be made, and to repeal all laws in conflict herewith.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

Notice is hereby given that a local bill for Mobile County, in substance as follows, will be offered for introduction and passage at the present 1951 session of the Legislature of Alabama, viz:

### A BILL TO BE ENTITLED AN ACT

To authorize and require the City of Mobile to hereafter pay and reimburse the County of Mobile a portion of the cost of operating, maintaining and keeping in repair the Mobile County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons; to prescribe how Mobile County shall keep an account of such expenditures and present its claim therefor to the City of Mobile and the time of payment thereof by the City of Mobile; to prescribe a rule of evidence in any suit or suits hereafter brought by the County of Mobile against the City of Mobile to recover of the City of Mobile its proportionate part of any such expenditures; to provide how admissions to said hospital shall be made, and to repeal all laws in conflict herewith.

Be It Enacted by the Legislature of Alabama as Follows:

Section 1: The City of Mobile, a municipal corporation in the State of Alabama shall be and it is hereby authorized and required to hereafter pay to the County of Mobile, a body corporate in the State of Alabama, one-half of the cost of operating, maintaining and keeping in repair, the Mobile County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons. If the County shall contract, hire or let out the operation of such mental hospital to any society, organization, association or agency, then the amounts paid by the County for the operation for such hospital pursuant to such contract shall be deemed a part of the cost of operating the same within the meaning of this Act and the City shall pay the County its said proportionate part thereof.

Section 2: Admissions to the said mental hospital shall be made upon certificate of the Chairman of the Board of Revenue and Road Commissioners of the County, or Mayor of the City of Mobile, or certificate of the Judge of the Probate Court of Mobile County, Alabama, provided that either the Board of Revenue and Road Commissioners of Mobile County or the Board of Commissioners of the City of Mobile may by resolution duly spread upon its respective minutes appoint a licensed physician to act for the County or the City, as the case may be, in the matter of passing upon and issuing certificates of admission to said institution. The County shall cause to be kept an accurate account of the number of persons admitted to said institution for diagnosis and treatment and who are at the same time fit subjects for public charity.

Section 3: Said County shall cause to be opened and kept, an account to be entitled "Mental Hospital Account" wherein shall be entered and kept an accurate and true account of the amount expended by the County each month for operating, maintaining and keeping such mental hospital facility in repair, and on or before the 20th day of each month, shall file with the Board of Commissioners of the City of Mobile an account of the

amount expended by the County during the preceding calendar month for any and all such purposes. Said account shall be verified by the affidavit of the County's Clerk or Administrative Assistant or other person having knowledge of the correctness thereof. It shall be the duty of the Board of Commissioners of the City of Mobile, after the examination of the said account, and on finding the same correct, to pay to the County of Mobile one-half of the amount thereof out of the City Treasury, such payment to be made on or before the 10th day of the month following the presentation and filing of such account.

Section 4: The liability of the City of Mobile to the County of Mobile hereunder shall not exceed the sum of Twenty-four Thousand Dollars (\$24,000.00) in any one fiscal year, and the fiscal year herein referred to shall be the period extending from October first of each year through the following September thirtieth.

Section 5: In any suit or proceeding hereafter brought by the County against the City, to recover of the City its proportionate part of such expenditures the books of the County containing the County's account of such expenditures, when supported by the testimony of the County Clerk or Administrative Assistant or other person having charge of the keeping of the books of said county, that said books were kept in the regular course of operating the accounting department of said County and that he believes them to be accurate and true, shall be admissible in evidence, and shall be taken and considered as prima facie establishing the correctness of the facts and account shown thereby.

Section 6: If any section or provision of this Act shall be held invalid, such holding shall not effect nor invalidate any other section or provision hereof which is not in and of itself invalid.

Section 7: All laws or parts of laws in conflict herewith shall be and the same are hereby repealed.

Section 8: This Act shall become effective from and after its passage and approval or its otherwise becoming a law.

Press June 19-26 July 3-10

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of the Mobile Press, June 19, 26, July 3, 10, 1951.

W. M. CURRAN.

Sworn to and subscribed before me this 16th day of July, 1951.

ALVIN A. JOHNSON,  
Notary Public.

Also:

By Messrs. Hawkins (Etowah), Miller, Shelton and Morgan (Tuscaloosa): H. 960. To provide for meetings of the Board of Registrars in counties having a population of not less than eighty thousand nor more than one hundred fifty thousand inhabitants.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 822 and 960—To the Committee on Local Legislation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Harrison (Shelby) and Russell:

H. 809. To abolish the fund in the State Treasury known as the Governor's Contingent Fund and to repeal Section 179, Title 55, Code of Alabama 1940, which relates to the Governor's Contingent Fund.

Also:

By Messrs. McNider, Denton, Malone (Houston), Black, Wilson, Tumlin, Thomas, Adams (Tallapoosa), White (Covington), Harrison (Wilcox), Brown, Coburn, Oakley, Huey, Brannan, Givhan, Dodd, White (Cullman), Hardy, Beatty, Molette, Adams (Dale), Faulk, Solomon, Wallace, Martin, Harrison (Shelby), Sellers, Reynolds (Chambers), Gallalee, Payne, Wilkins, Pfleger, Smith, Meeks, Garrett, Dawkins, Morgan (Tuscaloosa), Adams (Jefferson), Mathews, Edgar, Springer, Scruggs, Ward and Leonard:

H. 686. To declare, designate, and name certain parts of the State Highways as Paradise Drive.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 809—To the Committee on Finance and Taxation.

H. B. 686—To the Committee on Public Roads and Highways.

### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Robison, further consideration of the Bills, H. B.'s 857, 858, 859, 860 and 861 was indefinitely postponed by the Senate.

### RECESS

At 12:50 P. M., on motion of Mr. Clayton, the Senate took a recess until 2 o'clock this afternoon.

### AFTERNOON SESSION

### TWENTY-EIGHTH LEGISLATIVE DAY

FRIDAY, AUGUST 10, 1951

The Senate reassembled at 2 o'clock P. M., Lieutenant-Governor Allen presiding.

### ROLL CALL

Present:

Messrs.:	Boutwell	Fant	High
Andrews	Byars	Farmer	Hollis
Benson	Clayton	Faulkner	Johnson (Chambers)
Bonner	Eddins	Golson	Jones

Larkins  
Locke (Chectaw)  
Locke (Perry)  
McCary

Norrell  
Phillips  
Pinson  
Reneau

Richardson  
Robison  
Skidmore  
Sollie

Todd  
Whatley  
Wright

—30

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in Session, has compared the following Senate Bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to-wit:

S. 160. To impose extra, new, and additional duties upon the Attorney General of Alabama; to provide additional compensation for the performance of the extra, new, and additional duties hereby imposed upon him; and to provide for the payment of additional compensation for the performance of such duties.

HERBERT B. BYARS,  
Chairman.

## SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Benson:

S. B. 615. To prescribe new, extra and additional duties for the Superintendents of Education in all counties of the state having a population of not less than 36,000 nor more than 39,000 according to the last or any subsequent census; to provide additional compensation for the performance of such new, extra and additional duties.

Committee on Local Legislation.

By Mr. Boutwell:

S. B. 616. To provide for the establishment and administration of Retirement Systems for county employees in counties having a population of 400,000 or more according to the last or any future federal census, and for the payment of benefits to the employees of such counties.

Committee on Local Legislation.

## REPORTS OF COMMITTEES

Mr. Whatley, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Miller:

H. 883. To amend Section 10 of Title 25 of the Code of Alabama of 1940 relating to commissioners or employees of Municipal Authorities interested in property, materials or services in connection with any housing project.

By Mr. Andrews:

S. 516. To amend Section 440, Title 37, Alabama Code of 1940.

By Mr. Russell:

H. 389. To amend Section 428, of Title 37, of the Code of Alabama of 1940.

By Mr. Andrews:

S. 463. To amend Section 447 of Title 37 of the Code of Alabama of 1940 so as to eliminate therefrom the requirement that all bonds of a city or town shall be signed by the treasurer thereof.

By Mr. Andrews:

S. 491. Relating to city treasurers; amending Section 446, Title 37, Code of Alabama (1940).

By Mr. Andrews:

S. 464. To amend Section 8 of Act No. 648 adopted at the 1949 regular session of the Legislature of Alabama so as to eliminate therefrom any requirement for publication of notices of meetings of the board of directors of industrial development boards organized under the provisions of said act, and to amend Section 15 of said act so as to permit the filing for record of leases made by such boards without the payment of any tax thereon.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 139. To authorize the county governing bodies of all counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any future regular decennial Federal Census to provide for the use of paper ballots or ballot boxes as well as voting machines at voting places in the county where voting machines are used, at any primary, municipal or general election.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Oakley, Edgar, McKee, Bassett, Belcher, Robinson, Haynes, Wesley, Russell, White (Cullman), Simpson, Denton, Tennille, Matthews, Scruggs, Givhan, Dawkins, Molette, Merrill, Garrett, Sellers, Hardy, Payne, Leonard, Martin, Adams (Dale), Engelhardt, Brannan, McNider, Faulk and Harrison (Wilcox):

H. 800. TO authorize the creation of a public corporation for the purpose of completing the construction and equipment of the coliseum building and necessary facilities in connection therewith located in the Alabama Agricultural Center; to authorize the conveyance to the said corporation by the state of the said coliseum building in its present uncompleted condition together with lands in connection therewith; to authorize the issuance by said corporation of interest bearing revenue bonds, not exceeding \$1,250,000 in aggregate principal amount, for the purpose of completing the construction and equipment of the said coliseum building and necessary facilities in connection therewith and the improvement of said lands, to be payable solely out of the rentals received in the leasing of properties of said corporation; to make provisions respecting such bonds including a provision that they shall constitute

negotiable instruments; to authorize the lease by the said corporation of all or any part of its properties to the Agricultural Center Board; to authorize, as security for said bonds, the pledge of said lease and the rentals payable thereunder and the creation of a lien on said rentals; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge and lien and to provide that such filing will constitute constructive notice thereof; to provide the use to which the proceeds from the sale of said bonds may be put; to specify conditions covering the letting of contracts for the completion of the construction and equipment of said coliseum building and necessary facilities in connection therewith; to authorize the issuance of refunding bonds by said corporation; to impose on the State Treasurer the duty of disbursing the proceeds of said bonds and said rentals; to provide that said bonds shall constitute legal investments for fiduciaries, savings banks and insurance companies and shall be eligible as security for the deposit of funds of the state and its instrumentalities; to exempt from taxation the properties of said corporation and the rentals derived therefrom, the said bonds and the income therefrom, and all lease agreements and pledge and lien instruments authorized hereunder; to provide for the publication of notice of the adoption of a resolution authorizing the issuance of said bonds and to specify a limitation of time thereafter for actions or defenses questioning the validity of said bonds or the pledge made therefor; and to provide for the dissolution of said corporation and the conveyance to the state of the properties of the corporation upon payment of its bonds and the obligations incurred by it under the provisions of this act.

Also:

By Messrs. Tennille, Mathews, Scruggs, Givhan, Dawkins, Molette, Merrill, Garrett, Sellers, Hardy, Payne, Leonard, Martin, Adams (Dale), Engelhardt, Brannan, Faulk, Harrison (Wilcox), Oakley, McNider, Edgar, McKee, Bassett, Belcher, Wesley, Haynes, Robinson, Russell, White (Cullman), Simpson, Denton:

H. 801. To authorize the Agricultural Center Board to lease the coliseum building and any facilities necessary in connection therewith forming a part of the Alabama Agricultural Center from any public corporation organized for the purpose of completing and equipping said coliseum building and facilities; to specify provisions for said lease; to authorize the said board to operate the properties leased and make contracts respecting the same and charges in connection therewith; to provide that said lease shall not constitute or give rise to an indebtedness of the state and that the rentals thereunder shall be payable solely out of moneys in the Agricultural Center Fund derived from the operation of the properties so leased and, to the extent to which such revenues may not be sufficient to pay said rentals and the operating and administrative expenses of the board, out of moneys accruing to the Agricultural Fund under the provisions of Section 31 of Title 2 of the Code of 1940, and to make continuing appropriations therefor out of said funds; to repeal Sections 2 and 4 of Act Number 282 adopted at the 1945 Regular Session of the Legislature of Alabama; and to specify the effective date of this Act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 800 and 801—To the Committee on Finance and Taxation.



## BILLS ON THIRD READING

The Bill:

H. 866. For the relief of Mrs. Bessie Huey out of the general fund of Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Phillips	
Andrews	Fant	Jones	Pinson	
Benson	Farmer	Larkins	Sollie	
Boutwell	Faulkner	McCary	Whatley	
Byars	Golson	Norrell	Wright	
Clayton	High			—21

Nays: —0

The Bill:

H. 867. For the relief of H. D. VanNornum and Selina VanNornum, in the sum of One Thousand Six Hundred Twenty-Five (\$1,625.00) Dollars, in that on, to-wit, December 15, 1949, a duly authorized agent, servant, or employee of Jefferson County, Alabama, Charles A. Johnson, negligently drove a truck into an automobile in which H. D. VanNornum and Selina VanNornum were riding, painfully injuring them and causing extensive property damage, in Jefferson County, Alabama, near Homewood.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Phillips	
Andrews	Fant	Jones	Pinson	
Benson	Farmer	Larkins	Sollie	
Boutwell	Faulkner	McCary	Whatley	
Byars	Golson	Norrell	Wright	
Clayton	High			—21

Nays: —0

The Bill:

H. 868. To further define the powers and duties of the County Commission or other governing body of Jefferson County, Alabama, by whatever name said governing body may now or hereafter be called.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Phillips	
Andrews	Fant	Jones	Pinson	
Benson	Farmer	Larkins	Sollie	
Boutwell	Faulkner	McCary	Whatley	
Byars	Golson	Norrell	Wright	
Clayton	High			—21

Nays: —0

The Bill:

H. 869. To amend Section 81 of Title 11, of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Phillips	
<b>Andrews</b>	Fant	Jones	Pinson	
<b>Benson</b>	Farmer	Larkins	Sollie	
<b>Boutwell</b>	Faulkner	McCary	Whatley	
<b>Byars</b>	Golson	Norrell	Wright	
<b>Clayton</b>	High			—21

Nays:

—0

The Bill:

H. 842. Relating to Madison County: To change the method of compensating the Probate Judge, providing him with assistants, office space and equipment.

was taken up.

The Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amendment to H. B. 842.

Amend H. B. 842 by striking therefrom Section 6 in its entirety and inserting in lieu thereof the following:

"Section 6. This Act shall become effective upon the expiration of the present term of the incumbent Probate Judge of Madison County."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Phillips	
<b>Andrews</b>	Fant	Jones	Pinson	
<b>Benson</b>	Farmer	Larkins	Sollie	
<b>Boutwell</b>	Faulkner	McCary	Whatley	
<b>Byars</b>	Golson	Norrell	Wright	
<b>Clayton</b>	High			—21

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Phillips	
<b>Andrews</b>	Fant	Jones	Pinson	
<b>Benson</b>	Farmer	Larkins	Sollie	
<b>Boutwell</b>	Faulkner	McCary	Whatley	
<b>Byars</b>	Golson	Norrell	Wright	
<b>Clayton</b>	High			—21

Nays:

—0

## REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 97—Relative to adjournment of the two Houses until Tuesday, August 14, 1951.

And said Resolution was adopted by the Senate.

## REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Mrs. Isaac Riley—Ozark—as a member of the Board of Trustees of Alabama College from the Third District, to succeed Hon. Alto V. Lee, III, resigned, for the term expiring in January, 1963.

And Mrs. Isaac Riley was confirmed by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Wallace:

H. 733. To authorize each of the municipalities in this state to acquire properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural or manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize municipalities to lease such properties subject to certain specified requirements; to authorize municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenue from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

And ordered same sent forthwith to the Senate without engrossment.

M. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 733—To the Committee on Municipalities and Municipal Organizations.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 501. To impose extra, new, and additional duties upon the State Superintendent of Education and to provide additional compensation for the performance thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 18; Nays 7.

Yeas:

Messrs.:	Clayton	Hollis	Robison	
Andrews	Eddins	Johnson (Chambers)	Skidmore	
Benson	Fant	Larkins	Sollie	
Boutwell	Farmer	Phillips	Whatley	
Byars	High	Pinson		—18

Nays:

Messrs.:	Golson	Locke (Perry)	Reneau	
Bonner	Locke (Choctaw)	Norrell	Richardson	—7

The Bill:

S. 257. To repeal Section 2 of Act No. 605, approved October 2, 1947, entitled "An Act to make appropriations to Alabama Polytechnic Institute for constructing, equipping, furnishing, maintaining and operating a farm-machinery building and laboratory and farm-machinery experimentation and teaching facilities".

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Clayton	Hollis	Pinson	
Andrews	Eddins	Larkins	Reneau	
Benson	Fant	Locke (Choctaw)	Richardson	
Bonner	Farmer	Locke (Perry)	Robison	
Boutwell	Golson	Norrell	Skidmore	
Byars	High	Phillips	Sollie	—23

Nays:

—0

The Bill:

S. 474. To amend Section 712, Title 51, Code of Alabama 1940, as amended by Act No. 68, General Acts 1945, page 64, relating to the remittance of moneys and certification of lists of motor vehicles by judge of probate.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Larkins	Richardson
Andrews	Fant	Locke (Choctaw)	Robison
Benson	Farmer	Locke (Perry)	Skidmore
Bonner	Faulkner	Norrell	Sollie
Boutwell	Golson	Phillips	Whatley
Byars	High	Pinson	Wright
Clayton	Johnson (Chambers)	Reneau	—26

Nays:

—0

The Bill:

S. 475. To amend Section 847, Title 51, Code of Alabama 1940, relating to the remittance of moneys and certification of lists of licenses issued by judge of probate.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Larkins	Reneau
Andrews	Farmer	Locke (Choctaw)	Richardson
Benson	Faulkner	Locke (Perry)	Robison
Bonner	High	Norrell	Skidmore
Boutwell	Hollis	Phillips	Sollie
Clayton	Johnson (Chambers)	Pinson	Whatley
			—23

Nays:

—0

The Bill:

S. 560. To provide an additional appropriation to the Department of Conservation, Division of State Lands.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Richardson
Andrews	Farmer	Locke (Perry)	Robison
Benson	Faulkner	Norrell	Skidmore
Bonner	Golson	Phillips	Sollie
Boutwell	Hollis	Pinson	Whatley
Clayton	Johnson (Chambers)	Reneau	Wright
Eddins	Larkins		—25

Nays:

—0

The Bill:

S. 355. To provide that any person convicted of a felony and sentenced to death and who applies for executive clemency and whose sentence is by the Governor commuted to life imprisonment shall not thereafter be eligible for pardon or parole.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

Substitute for Senate Bill 355:

A BILL  
TO BE ENTITLED  
AN ACT

To provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for pardon or parole, unless his innocence of the crime for which he was convicted is proved to the satisfaction of the Board of Pardons and Paroles and such Board votes unanimously to grant such person a pardon and the granting of the pardon is approved by the Governor.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person whose sentence to death has been commuted by the Governor to life imprisonment shall not, except as otherwise provided herein, be eligible for either a pardon or a parole from the State Board of Pardons and Paroles, and any such pardon or parole, if granted, shall be void. Provided, however, that whenever sufficient evidence is presented to the Board of Pardons and Paroles to satisfy it that such person was innocent of the crime for which he was convicted and the Board votes unanimously to grant such person a pardon and the Governor concurs in and approves the granting of the pardon, the person shall be eligible for a pardon. It is further provided that this Act shall not be construed to deny to any person whose sentence of death has been commuted to life imprisonment the right to apply to the courts of this State for such remedies as such person is entitled to under the laws of Alabama.

Section 2. All laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Clayton, the Committee substitute was laid on the table.

Mr. Clayton then offered the following substitute for the Bill, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for pardon unless his innocence of the crime for which he was convicted is proved to the satisfaction of the Board of Pardons and Paroles, and such board votes unanimously to grant such person a pardon and the granting of the pardon is approved by the Governor; to provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for parole until such person shall have served at least fifteen years of such life sentence:

Be It Enacted by the Legislature of Alabama:

Section 1. Any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible

for a pardon unless sufficient evidence is presented to the Board of Pardons and Paroles to satisfy it that such person was innocent of the crime for which he was convicted and said board votes unanimously to grant such person a pardon, and the Governor concurs in and approves the granting of the pardon.

It is further provided that this Act shall not be construed to deny any person whose sentence of death has been commuted to life imprisonment the right to apply to the courts of this state for such remedy as such person is entitled to under the laws of Alabama.

Section 2. Any person whose sentence to death has been commuted by the Governor to life imprisonment shall not be eligible for a parole from the said Board of Pardons and Paroles until he shall have served at least fifteen years of such life sentence, and any parole granted contrary to the provisions hereof shall be void.

Section 3. All laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Larkins offered the following amendment to the substitute for the Bill, to-wit:

Amend Substitute for S. B. 355 by striking the words "fifteen years" where the same appear therein and substitute the words "ten years".

On motion of Mr. Phillips, said amendment was laid on the table.

Yeas 24; Nays 4.

Yeas:

Messrs.:	Eddins	Hollis	Pinson
Andrews	Fant	Johnson (Chambers)	Richardson
Benson	Farmer	Locke (Choctaw)	Skidmore
Bonner	Faulkner	Locke (Perry)	Todd
Boutwell	Golson	Norrell	Whatley
Byars	High	Phillips	Wright
Clayton			

—24

Nays:

Messrs.:	Reneau	Robison	Sollie
Larkins			

—4

And said substitute for the Bill was then adopted.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Eddins	Locke (Choctaw)	Robison
Andrews	Fant	Locke (Perry)	Skidmore
Benson	Farmer	Norrell	Sollie
Bonner	Faulkner	Phillips	Todd
Boutwell	High	Pinson	Whatley
Byars	Hollis	Reneau	Wright
Clayton	Johnson (Chambers)		

—25

Nays: Messrs. Larkins and Richardson —2

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 3.

**Yeas:**

Messrs.:	Eddins	Johnson (Chambers)	Robison
Andrews	Fant	Locke (Choclaw)	Skidmore
Benson	Farmer	Locke (Perry)	Sollie
Bonner	Faulkner	Norrell	Todd
Boutwell	Golson	Phillips	Whately
Byars	High	Pinson	Wright
Clayton	Hollis		

—25

**Nays:** Messrs.: Larkins, Reneau and Richardson —3

**The Bill:**

S. 468. Relating to Franklin County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 3.

**Yeas:**

Messrs.:	Faulkner	Locke (Choclaw)	Richardson
Andrews	Golson	Locke (Perry)	Robison
Byars	High	Phillips	Skidmore
Clayton	Hollis	Pinson	Todd
Fant	Johnson (Chambers)	Reneau	Whately
Farmer	Larkins		

—21

**Nays:** Messrs.: Bonner, Eddins and Sollie —3

**RESOLUTIONS**

Mr. Robison offered the following Senate Joint Resolution, to-wit:

S. J. R. 64. BE IT RESOLVED by the Senate, the House concurring, that S. B. 504, S. B. 505, S. B. 506, S. B. 507, S. B. 508, S. B. 509 and S. B. 511, which have passed both Houses, each be known as the Robison, Dawkins, Hall, Tennille and Sellers Bill.

And the Rules were suspended and the Resolution adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Adams (Jefferson), Morgan (Jefferson), Adams (Tallapoosa) and Roberson:

H. 475. To eliminate the reckless and irresponsible driver of motor vehicles from the highways of the State of Alabama; to provide for the giving of security and proof of financial responsibility by owners and



operators of motor vehicles; to define words and phrases in said Act; to provide for the administration and enforcement of said Act by the Director of Public Safety of the State of Alabama and to prescribe his powers and duties; to provide for an operating record; to provide for appeals from his orders and decisions; to provide for the making of reports following a motor vehicle accident, and giving of security in case of a motor vehicle accident involving property damage in excess of \$50.00 or personal injuries to, or death of any person; to provide for certain exceptions where evidence of existing insurance is furnished; to provide certain further exceptions to requirements of the Act; to provide for the suspension of licenses and registration of motor vehicles, and duration thereof; to provide that the Act shall apply to non-residents, unlicensed drivers and unregistered motor vehicles and shall apply in certain instances to accidents in other states; to provide the form and amount of security; to provide for the custody, disposition and return of security; to provide matters not to be evidence in civil suits; to provide for reports on the non-payment of judgments; to provide for the suspension of licenses and registration for non-payment of judgments; to provide for the suspension until judgment paid or until proof given; to provide for the payment of judgments by installments; to provide for the proof required to be furnished upon certain convictions; to provide alternative methods of giving proof of financial responsibility, including a certificate of any insurance carrier that has in effect a motor vehicle liability policy; to provide certificates furnished by non-residents, owners of motor vehicles in the state; to define a motor vehicle liability policy; to provide for cancelation or termination of policies, and that this act shall not affect other policies; to provide for bond for proof of financial responsibility, amount of security, where deposited and type of security; to provide for money or securities as proof of financial responsibility; to prohibit a transfer of registration to defeat purposes of Act; to provide penalties for the violation of the provisions of this Act; to provide for surrender of licenses and registration; to provide for self-insurers; to provide Act not to apply to any motor vehicle owned by the United States, State of Alabama, or any political subdivision of this State, or any municipality; to provide that certain provisions of Act not to apply to certain motor vehicles subject to supervision and regulation of the Alabama Public Service Commission; to provide certain powers and duties of the Superintendent of Insurance with respect to approval of plans for equitable apportionment among insurance companies of applicants for insurance who cannot obtain insurance by ordinary method, and provide for appeals to the courts from decisions of said Superintendent of Insurance respecting such plans; to provide that this Act shall not prevent use of other process; to provide for uniformity of interpretation; to provide that if part of Act be held unconstitutional it shall not affect remaining parts of Act; to provide that this Act may be cited as the Motor Vehicle Safety-Responsibility Act; to authorize the Director of Public Safety, subject to provision of the Merit System, to appoint employees necessary to discharge the duties imposed by this Act; to declare that this Act is supplemental to the State Motor Vehicle Laws; to repeal Act No. 276, approved August 6, 1947, Acts 1947, Page 121, known as the Alabama Motor Vehicle Responsibility Act; to appropriate the sum of \$100,000.00 or so much thereof as may be necessary for the purposes set forth in this Act; to provide the effective date of this Act and a repeal of all acts and parts of acts in conflict herewith.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message

from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 475—To the Committee on Public Roads and Highways.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Meeks:

H. 734. To amend Section 3 and 4 of Act 515, General Acts 1945, approved July 9, 1945.

Also:

By Mr. Adams (Dale):

H. 544. To create a State Department of Public Welfare; to provide for a State Board of Public Welfare and to prescribe its powers and duties; to provide for the appointment of a Commissioner, as executive and administrative officer, and other employees; to authorize the allocation of Federal and State funds in a manner to provide equitable treatment of needy individuals in similar circumstances; to prescribe the duties, powers and responsibilities of the Department; to create county departments of public welfare and to describe their duties; to provide for county boards of public welfare and to prescribe their duties; to authorize county and city governing bodies to make other and further provisions for the needy; to define who is entitled to old age assistance, aid to the blind, aid to dependent children, and aid to the permanently and totally disabled; to provide for the method of making application, the determination of eligibility, and the amount of assistance; to authorize payment after death for the month in which the recipient dies; to define the obligations of persons applying for or receiving assistance; to define the rights of persons applying for or receiving assistance to appeal; to authorize state and county departments to subpoena witnesses; to authorize the State Department to develop standards of assistance and to further define the authority of the State Department; to provide penalty for false representation; to exempt assistance grants from taxes, levy, garnishment, or other process; to authorize old age assistance for eligible confederate pensioners; to provide for payments over maximum in which the Federal government will share for hospital care for old age assistance applicants and recipients; to authorize county boards to review public assistance cases; to appropriate surplus and residue from the proceeds of the levy of the one mill tax for the relief of needy confederate soldiers and sailors and their widows; to provide for the severability of the provisions; and to provide for the time the Act shall take effect.

Also:

By Mr. Adams (Dale):

H. 545. To amend Act No. 255, H. 313, approved June 24, 1943, General Acts of Alabama, 1943, pp. 226-228), entitled "An Act To Provide For the disposition and use of the profits, including all tax levied upon the selling prices of all spirituous or vinous liquors, less all cost and expense of collecting said tax, of the Alabama Liquor Stores operated under the Alcoholic Beverage Control Board of Alabama."

Also:

By Mr. Adams (Dale):

H. 547. To amend Title 51, Section 784, Code of Alabama, 1940, as amended, which relates to the disposition of the revenues from the sales tax.

Also:

By Messrs. Leonard and Payne:

H. 452. To effectuate sick leave payments to teachers employed by the Alabama Institute for Deaf and Blind through reimbursements by the State Board of Education to the Alabama Institute for Deaf and Blind from the Minimum Program Fund for payments to substitute teachers employed to replace teachers absent on sick leave during the time the school is in session, and to authorize the State Board of Education to establish a sick leave plan for teachers employed by the Alabama Institute for Deaf and Blind, define sick leave, determine rate of reimbursements for substitute teachers who serve in the place of teachers on sick leave, limit the number of days of sick leave per teacher for which reimbursements may be made, and to make such other rules and regulations as may be necessary for the effective operation of this act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 734, 544, 545, 547 and 452—To the Committee on Finance and Taxation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. White (Covington):

H. 289. To provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the Teachers' Retirement System, September 1, 1941, and who is not and never has been eligible for membership in the Teachers' Retirement System, and to provide a supplement to the retirement benefits of certain teachers who are now or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended by Act 637, General Acts 1947, p. 486; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act 209 approved July 7, 1945 and Act 301 approved August 14, 1947 relating to provisions for old age assistance to teachers.

Also:

By Mr. Adams (Dale):

H. 546. To create a state public welfare trust fund, defining the receipts of the fund and providing for disbursements from the fund.

Also:

By Messrs. Russell and Harrison (Shelby):

H. 812. To create a fund in the State Treasury to be known as the Mansion Fund; to define the purposes for which said fund may be used and the manner of making withdrawals therefrom; to provide for the appropriation thereto; to repeal all laws in conflict herewith; and to provide the effective date of this Act.

Also:

By Mr. Selden:

H. 48. To create a State Bureau of Publicity and Information, transferring to it the functions, funds, jurisdiction, authority, personnel, property and effects of the Division of Records and Reports, providing for the appointment of a Director of Publicity and an advisory board, abolishing the office of Director of the Division of Records and Reports, conferring exclusive power upon the Bureau to plan and conduct all state programs of tourist advertising, and making an appropriation for that purpose.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 289, 546, 812 and 48—To the Committee on Finance and Taxation.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 33. To fix the liability on policies indemnifying the insured against loss from fire or other casualty on residences or other buildings where the title to said property is owned by tenants in common or by joint tenants with or without right of survivorship where the policy is written in the name of less than all of the joint owners of said property.

was taken up.

Mr. Reneau offered the following substitute for the Bill, to-wit:

Substitute for S. B. 33.

### A BILL TO BE ENTITLED AN ACT

To define the liability on policies indemnifying the insured against loss from fire or other casualty on residences or other buildings where the title to said property is owned by tenants in common or by joint tenants with or without right of survivorship, if said joint tenants or tenants in common be husband and wife, where the policy is written in the name of less than all of the joint owners of said property.

Be It Enacted by the Legislature of Alabama:

Section 1. In respect to every contract of insurance indemnifying against loss from fire or other casualty to any dwelling or other building written in the name of less than all of the joint owners or tenants in common, with or without survivorship, if said joint tenants or tenants in common be husband and wife, it shall not be a defense against liability on said policy, that all the joint owners or tenants in common were not named as the insured therein, nor shall the amount due in event of loss be diminished on said account unless by special endorsement the said liability is limited to the interest of the named insured.

Section 2. That all laws, or parts of laws, in conflict herewith are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon its passage

and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Johnson (Chambers)	Reneau
Andrews	Fant	Locke (Choctaw)	Robison
Benson	Farmer	Locke (Perry)	Skidmore
Bonner	Faulkner	Norrell	Sollie
Boutwell	High	Phillips	Whatley
Byars	Hollis	Pinson	Wright

—23

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment;

Yeas 27; Nays 0.

Yeas:

Messrs.:	Eddins	Johnson (Chambers)	Reneau
Andrews	Fant	Larkins	Richardson
Benson	Farmer	Locke (Choctaw)	Robison
Bonner	Faulkner	Locke (Perry)	Skidmore
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Whatley
Clayton	Hollis	Pinson	Wright

—27

Nays:

—0

The Bill:

S. 457. Relating to the Teachers' Retirement System; to allow prior service credit for military service during World War I.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Reneau
Andrews	Faulkner	Locke (Perry)	Richardson
Benson	Golson	McCary	Robison
Bonner	High	Norrell	Skidmore
Clayton	Hollis	Phillips	Sollie
Eddins	Johnson (Chambers)	Pinson	Whatley
Fant	Larkins		

—25

Nays:

—0

At 3:40 P. M., Mr. Richardson made a motion that the Senate do now adjourn until Tuesday at 10 o'clock A. M., which was lost.

Yeas 12; Nays 15.

Yeas:

Messrs.:	High	Locke (Choctaw)	Richardson
Bonner	Hollis	Locke (Perry)	Sollie
Eddins	Johnson (Chambers)	Norrell	Wright
Golson			

—12

*Nays:*

Messrs.:	Byars	Faulkner	Pinson
Andrews	Clayton	Larkins	Reneau
Benson	Fant	McCary	Robison
Boutwell	Farmer	Phillips	Skidmore

—15

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 449. To provide for an additional coroner in all counties having a population of not less than 30,000 and not more than 40,000 according to the last and any subsequent Federal census, and having two court-houses.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Larkins, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 449, the title of which is set out in the foregoing Message from the House.

## AMENDMENT TO SENATE BILL NO. 449

Amend the Title and Section 1 of Senate Bill No. 449 by striking out the figures "40,000" and inserting in lieu thereof the figures "33,500".

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Hollis	Phillips
Andrews	Fant	Jones	Pinson
Benson	Farmer	Larkins	Sollie
Boutwell	Faulkner	McCary	Whatley
Byars	Golson	Norrell	Wright
Clayton	High		

—21

*Nays:*

—0

## BILLS ON THIRD READING RESUMED

The Bill:

H. 274. To amend Sections 60 and 61 of Title 36 of the Code of Alabama, 1940, which relate to the registration and licensing of drivers. was taken up.

The Standing Committee on Judiciary reported the following amendment to the bill, to-wit:

Committee Amendment:

To amend House Bill 274 by adding at the end of Section 2 the following:

There shall be no charge made by any probate judge for service

rendered in receiving applications or issuing permits other than the sum of ten cents herein provided for.

Mr. Wright offered the following substitute for the Bill and pending Committee amendment, to-wit:

Substitute for H. B. 274 and Pending Committee Amendment.

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 60 and 61 of Title 36 of the Code of Alabama, 1940, which relate to the registration and licensing of drivers.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 60 of Title 36 of the Code of Alabama, 1940, is amended to read:

"Such person shall apply under oath to the judge of probate of the county of his residence for said driver's license or a renewal thereof upon a form which shall be provided by the director of public safety. At the time of filing any such application, the applicant shall pay to the judge of probate a fee of two dollars and twenty-five cents, and the judge of probate shall give him a receipt therefor on a form provided by the director of public safety."

Section 2. Section 61 of Title 36 of the Code of Alabama, 1940, is amended to read:

"At the close of business on Monday of each week when any application has been received or temporary instruction permit hereinafter provided for has been issued, the judge of probate receiving such application or issuing such permit shall prepare a report of the same upon a form which shall be provided by the director of public safety. One copy of such report, together with all applications received and copies of all permits issued shall be forwarded to the director of public safety and one copy shall be retained by the judge of probate. On the tenth day of every month the judge of probate shall prepare a report showing the number of applications received and permits issued and the amount of fees received during the previous calendar month. One copy of such report shall be forwarded to the director of public safety, one to the comptroller, one to the treasurer, and he shall retain a copy. He shall also at said time deliver to the treasurer the amount of all such fees collected less twenty-five cents for each application received or permit issued, which sum shall be retained by him. Two-fifths of each twenty-five cents retained by the probate judge shall be for his own use, and no other or further charge shall be made by him for services rendered in taking or receiving applications or issuing permits; the remaining three-fifths shall be paid into the general fund of the county. All funds remitted to the treasurer under the provisions of this section shall be kept in a separate fund in the treasury to be known as the 'highway patrol fund.'"

Section 3. This Act shall become effective October 1, 1951.

Mr. Bonner moved that said substitute be laid on the table, which motion was lost.

Yeas 5; Nays 22.

Yeas:

Messrs.:  
Bonner

Golson  
Locke (Perry)

Norrell

Richardson

—5

**Nays:**

Messrs.:	Eddins	Johnson (Chambers)	Skidmore
Andrews	Fant	Larkins	Sollie
Benson	Farmer	Locke (Choctaw)	Todd
Boutwell	Faulkner	Phillips	Whatley
Byars	High	Pinson	Wright
Clayton	Hollis	Robison	

—22

And said substitute for the Bill and Committee Amendment was then adopted.

Yeas 20; Nays 5.

**Yeas:**

Messrs.:	Eddins	Johnson (Chambers)	Robison
Andrews	Farmer	Larkins	Skidmore
Benson	Faulkner	Locke (Choctaw)	Sollie
Boutwell	High	Phillips	Whatley
Byars	Hollis	Pinson	Wright
Clayton			

—20

**Nays:**

Messrs.:	Golson	Norrell	Richardson
Bonner	Locke (Perry)		

—5

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 20; Nays 4.

**Yeas:**

Messrs.:	Eddins	Hollis	Robison
Andrews	Fant	Johnson (Chambers)	Skidmore
Benson	Farmer	Norrell	Sollie
Boutwell	Faulkner	Phillips	Whatley
Byars	High	Pinson	Wright
Clayton			

—20

**Nays:**

Messrs.:	Golson	Larkins	Richardson
Bonner			

—4

**The Bill:**

S. 536. To make an appropriation to the Alabama Alcoholic Beverage Control Board for the operation of the Beer Tax and License Division.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 19; Nay 1.

**Yeas:**

Messrs.:	Clayton	High	Reneau
Andrews	Eddins	Larkins	Robison
Benson	Fant	Locke (Perry)	Skidmore
Boutwell	Farmer	Phillips	Sollie
Byars	Faulkner	Pinson	Whatley

—19

**Nay:** Mr. Bonner

—1



The Bill:

S. 385. To define and prohibit the unfair sales of cigarettes; and to provide remedies and set forth penalties for violations.

was taken up.

Mr. Andrews offered the following amendment to the Bill, to-wit:

**AMENDMENT TO SENATE BILL 385.**

Amend subsection (b) of Section IV, of Senate Bill No. 385 to read as follows:

"(b) The term 'wholesaler' shall mean and include any person qualified as a wholesaler with the Alabama Department of Revenue, and who brings or causes to be brought into this State unstamped cigarettes purchased direct from the manufacturers thereof, and who maintains an established place of business where cigarettes taxed by the State are sold at wholesale only to licensed retailers for the purpose of resale only."

Which was adopted.

Yeas 20; Nay 1.

Yeas:

Messrs.:	Eddins	Hollis	Pinson	
Andrews	Fant	Locke (Choctaw)	Reneau	
Benson	Farmer	Locke (Perry)	Robison	
Boutwell	Faulkner	McCary	Skidmore	
Byars	High	Phillips	Whatley	
Clayton				—20

Nay: Mr. Bonner —1

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 13; Nays 6.

Yeas:

Messrs.:	Byars	High	Phillips	
Andrews	Clayton	Hollis	Pinson	
Benson	Eddins	Larkins	Wright	
Boutwell	Fant			—13

Nays:

Messrs.:	Reneau	Skidmore	Whatley	
Bonner	Robison	Sollie		—6

At 4:10 P. M. Mr. Robison moved that the Senate do now adjourn, which motion was lost.

Yeas 9; Nays 14.

Yeas:

Messrs.:	Hollis	Robison	Sollie	
Bonner	Locke (Perry)	Skidmore	Whatley	
Eddins	Norrell			—9

Nays:

Messrs.:	Benson	Byars	Fant
Andrews	Boutwell	Clayton	Faulkner

**High**  
**Larkins**

**McCary**  
**Phillips**

**Pinson**  
**Reneau**

**Wright**

—14

### BILLS ON THIRD READING RESUMED

The Bill:

S. 366. To amend Section 17 of an Act entitled "An Act to provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws", approved August 19, 1949.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 22; Nays 0.

Yeas:

Messrs.:  
**Andrews**  
**Benson**  
**Bonner**  
**Boutwell**  
**Byars**

**Clayton**  
**Eddins**  
**Fant**  
**Faulkner**  
**High**  
**Hollis**

**Larkins**  
**McCary**  
**Norrell**  
**Phillips**  
**Pinson**  
**Reneau**

**Robison**  
**Skidmore**  
**Sollie**  
**Whatley**  
**Wright**

—22

Nays:

—0

The Bill:

H. 348. To amend Act No. 515, H. 93, approved July 9, 1945, entitled "An Act To establish an employees' retirement system; to determine membership and conditions of membership in said system; to provide for a board of control of said system and for the administration of its affairs; to provide for officers and a medical board and to define their duties; to provide for the adoption of mortality, service and other actuarial tables as may be deemed necessary; to provide for the management of the funds of the said system; to provide a method of financing said system; and to provide an appropriation to carry out the provisions of the Act."

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:  
**Andrews**  
**Benson**  
**Bonner**  
**Boutwell**  
**Byars**

**Clayton**  
**Eddins**  
**Fant**  
**Farmer**  
**Faulkner**  
**Hollis**

**Locke (Perry)**  
**McCary**  
**Norrell**  
**Phillips**  
**Pinson**  
**Reneau**

**Robison**  
**Skidmore**  
**Sollie**  
**Whatley**  
**Wright**

—22

Nays:

—0

The Bill:

S. 531. To provide for the method of expending the appropriation made by subsection (19) of Section V in Senate Bill No. 228.

was taken up.

Mr. Whatley offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 531

Amend S. B. 531 by striking the words S. B. No. 228 where they ap-

pear in the title of S. B. 531 and in Section 1 of S. B. 531 and substitute in lieu thereof the words "Act No. 386, H. B. 262, Regular Session, 1951."

Which was adopted.

Yeas 19; Nays 0.

*Yeas:*

Messrs.:	Byars	Hollis	Robison	
Andrews	Clayton	Locke (Perry)	Skidmore	
Benson	Eddins	Norrell	Sollie	
Bonner	Farmer	Phillips	Whatley	
Boutwell	Faulkner	Reneau	Wright	—19

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Messrs.:	Byars	Locke (Perry)	Robison	
Andrews	Clayton	McCary	Skidmore	
Benson	Eddins	Norrell	Sollie	
Bonner	Farmer	Phillips	Whatley	
Boutwell	Hollis	Reneau	Wright	—19

*Nays:*

—0

The Bill:

H. 116. To amend Sections 420 and 421 of Title 14 of the Code of Alabama (1940), as amended, which relate to Sunday violations.

Was read a third time at length and passed.

Yeas 15; Nays 3.

*Yeas:*

Messrs.:	Clayton	Locke (Perry)	Robison	
Andrews	Farmer	McCary	Skidmore	
Boutwell	Faulkner	Phillips	Sollie	
Byars	Hollis	Reneau	Wright	—15

*Nays:* Messrs. Benson, Bonner and Eddins

—3

#### REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the twenty-eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the twenty-eighth Legislative Day approved by the Senate.

Mr. Bonner raised a point of order that a quorum of the Senate was not present, which was ascertained.

## ADJOURNMENT

Thereupon, at 4:40 P. M., on motion of Mr. Bonner, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, August 14, 1951, at 10 o'clock A. M.

## TWENTY-NINTH LEGISLATIVE DAY

TUESDAY, AUGUST 14, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

## PRAYER

The Session was opened with prayer by Rev. Paul Mathison, Pastor, Capitol Heights Methodist Church.

## ROLL CALL

Present:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright

—35

## JOURNAL

On motion of Mr. Jones the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. B. 617. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; increasing the jurisdiction of the inferior court of such counties and providing additional compensation for the judge thereof for the performance of the additional duties resulting from such increased jurisdiction.

Committee on Local Legislation.

By Mr. High:

S. B. 618. To amend Sections 2, 3, and 6 of Act No. 500, of the Legislature of 1943, approved July 9, 1943, relating to bread, flour and corn

meal enrichment, by requiring that corn meal shall be subject to the provisions of said act.

Committee on Agriculture.

By Mr. Johnson (Chambers):

S. B. 619. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Chambers County, empowering the governing body of said County to levy and collect, for a period not exceeding twelve years, a special ad valorem tax on real and tangible personal property only, within said County, the proceeds of such tax to be used solely for acquiring, constructing and equipping public school buildings within said County, for paying the principal of and interest on bonds which may be hereafter issued by said County under the provisions of said proposed amendment, and for the redemption of said bonds, and providing for a county-wide election to authorize the levy of said tax, and providing for the issuance and sale of tax anticipation bonds of said County not constituting general obligations of said County.

Committee on Constitution and  
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Locke (Choctaw):

S. B. 620. To impose extra, new, and additional duties upon the members of the County Governing Body of Clarke County, Alabama; and to provide additional compensation for the performance of such duties.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

Notice is hereby given that at the next regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

To impose extra, new, and additional duties upon the members of the county governing body of Clarke County and to provide additional compensation for the performance thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. That, in addition to all other duties now imposed upon them by law, the following extra, new, and additional duties are hereby imposed upon the members of the county governing body of Clarke County:

(a) The county governing body shall hold regular meetings during second and fourth weeks in each month of the year on a day to be determined, from time to time, by the county governing body, and at such other times as are now provided by law.

(b) Each member of the county governing body shall superintend the construction and maintenance of all public roads and bridges in his district, and shall make such reports of his activities to the county governing body, from time to time, as are necessary to keep the county governing body informed as to the condition of the public roads and bridges in his district.

(c) Each member of the county governing body shall perform such duties in connection with the construction and maintenance of public roads and bridges in his county as may be assigned to him, from time to time, by the county governing body, and shall make such reports of his activities to the county governing body, from time to time, as are necessary to keep the county governing body informed in regard to the same.

Section 2. For the performance of all other duties now imposed by law upon the members of the county governing body of Clarke County and for the performance of these new, extra, and additional duties imposed upon them by this Act, the members of the county governing body shall receive compensation in the amount of two hundred and fifty dollars (\$250) monthly, to be paid in the same manner as other county officers are paid.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared G. A. Carleton, who being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 26, May 3, May 10, and May 17, all in the year 1951.

G. A. CARLETON.

Sworn to and subscribed before me August 8, 1951.

NELL CHAPMAN,  
Notary Public.

By Mr. Johnston (Mobile):

S. B. 621. To create in all cities in the State of Alabama, having a population of not less than seventy-eight thousand and not more than two hundred fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as "Municipal Employees Pension and Relief Funds;" to provide for the setting apart of such funds; to create a pension and relief system applicable to all municipal employees in such cities, except policemen and firemen; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief; and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral ex-

penses upon the death of any employee; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a capitol board of pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Committee on Local Legislation.

By Mr. Johnston (Mobile):

S. B. 622. To authorize all cities or towns in the State of Alabama, having a population of 78,000 and not more than 200,000 according to the last or any subsequent Federal census to make any compromise or settlement of any paving tax assessment or Bill for past due tax on the paving of streets, boulevards or highways adjoining any property owned by any person, firm or corporation within the city limits of such city for such amount and on such terms as in the judgment of the city commission or other governing body may be deemed proper.

Committee on Local Legislation.

By Mr. Johnston (Mobile):

S. B. 623. To authorize all cities which now have or which may in the future have a population of not less than 78,000 and not more than 250,000 according to the last or any subsequent Federal Census, to use a portion of license taxes from fire insurance companies, and from general license taxes collected, certain percentages sufficient to pay policemen's and firemen's pensions that have been granted and which should be paid out of pension and relief funds set up for them.

Committee on Local Legislation.

By Mr. Johnston (Mobile):

S. B. 624. To require the governing bodies of cities in this State, which according to the last or any subsequent Federal census have a population of as much as 78,000 and not more than 250,000 inhabitants, before making final any assessment for any public or improvements, to cause the city clerk to mail a bill therefor to the owner of such property, as shown on the assessment roll or assessment book prepared in accordance with the provisions of Section 530 of Title 37 of the Alabama Code of 1940, and providing further that no defect or alteration in any such Bill, nor error in addressing the same, or in the address of the owner, or mistake of the city clerk in sending the Bill to the wrong address, nor failure of the owner or addressee to receive the same, shall affect or invalidate any such assessment, and providing that the certificate of the City clerk appended to the assessment roll, or inserted in the assessment book, to the effect that such clerk has mailed bills in accordance with the requirements of this Act, shall in all courts and in all proceedings be taken and considered as prima facie establishing the fact of compliance herewith, and providing a penalty upon any city clerk who shall neglect to perform the duties herein required of him.

Committee on Local Legislation.

By Mr. Johnston (Mobile):

S. B. 625. Providing that in all cities in the State having a population of not less than seventy eight thousand and not more than two hundred and fifty thousand, according to the last or any subsequent Federal census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents or more per

annum, and shall pay the proceeds of such additional license into the "Municipal Employees pension and Relief Fund" of such municipality.

Committee on Local Legislation.

By Mr. Johnston (Mobile):

S. B. 626. To create in all cities in the State of Alabama having a population of not less than seventy eight thousand and not more than two hundred and fifty thousand, according to the last or any subsequent Federal census, special funds to be known as "Policemen's and Fireman's Pension and Relief Funds" to provide for the setting apart of such funds, to create a pension and relief system applicable to the members of the police and fire departments in said cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the police and fire departments in said cities during their disability, and for the retirement of such members on pension either by reason of term of office or disability; to provide for the pensioning of members of such police and fire departments after service therein; to provide for the appropriation for funeral expenses upon the death of such member; to provide for the examination by proper authorities of such members in case of sickness or disability, to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds, and for the appointment of trustees and a Board of Pensions for all purposes in connection herewith; to provide penalties for violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Committee on Local Legislation.

By Mr. Todd:

S. B. 627. Proposing an amendment to the Constitution of Alabama relating to Colbert County.

Committee on Constitution and  
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Faulkner:

S. B. 628. To amend Sections five, eight and eleven of an Act entitled An Act, to abolish the Board of Revenue of Baldwin County, Alabama to establish in lieu thereof a Commission form of Government for such County to consist of a Commission of four members and to be a Court of Record and to be known as the County Commission; to provide for the designation, appointment and election of the members thereof and prescribe and limit their duties, powers, jurisdiction, authority and privileges; and to authorize and direct them to distribute the duties, powers, jurisdiction, authority and privileges of such County Commission into four divisions as follows: First, Chairman and Purchasing Division; Second, Road and Bridge Division; Third, Finance and Taxation Division; Fourth, Industrial and Civic Division; to fix the qualification of the members of such Commission, their term of office and their compensation; and to divide the County of Baldwin into Four Commission Districts, and to provide that members of such County Commission be designated, appointed or elected, one from each of said Commission Districts, Approved May 29, 1931, Local Acts 1931, pages 100 et seq.

Committee on Local Legislation.



With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE OF LOCAL BILL

STATE OF ALABAMA  
COUNTY OF BALDWIN

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made to wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections five, eight and eleven of an Act entitled An Act to abolish the Board of Revenue of Baldwin County, Alabama to establish in lieu thereof a Commission form of Government for such County to consist of a Commission of four members and to be a Court of Record and to be known as the County Commission; to provide for the designation, appointment and election of the members thereof and prescribe and limit their duties, powers, jurisdiction, authority and privileges; and to authorize and direct them to distribute the duties, powers, jurisdiction, authority and privileges of such County Commission into four divisions as follows: First, Chairman and Purchasing Division; Second, Road and Bridge Division; Third, Finance and Taxation Division; Fourth, Industrial and Civic Division; to fix the qualification of the members of such Commission, their term of office and their compensation; and to divide the County of Baldwin into Four Commission Districts, and to provide that members of such County Commission be designated, appointed or elected, one from each of said Commission Districts, Approved May 29, 1931, Local Acts 1931, pages 100 et seq.

Be It Enacted by the Legislature of Alabama:

SECTION ONE: That Sections five, eight and eleven of an Act entitled An Act to abolish the Board of Revenue of Baldwin County, Alabama, and to establish in lieu thereof a Commission form of Government for such County to consist of a Commission of four members and to be a Court of Record and to be known as the County Commission; to provide for the designation, appointment and election of the members thereof and prescribe and limit their duties, powers, jurisdiction, authority and privileges; and to authorize and direct them to distribute the duties, powers, jurisdiction, authority and privileges of such County Commission into four divisions as follows: First, Chairman and Purchasing Division; Second Road and Bridge Division; Third, Finance and Taxation Division; Fourth, Industrial and Civic Division; to fix the qualification of the members of such Commission, their term of office and their compensation; and to divide the County of Baldwin into four Commission Districts, and to provide that members of such County Commission shall be designated, appointed or elected, one from each of said Commission District, approved May 29, 1931, Local Acts 1931, pages 100 et seq. be and the same are amended to read as follows:

SECTION FIVE: Each of the said Commissioners shall be paid for his services under this Act the sum of two hundred fifty (\$250.00) dollars a month on the first day of the month following the effective date hereof.

SECTION EIGHT: The Commissioner designated as Chairman and Purchasing Division Commissioner shall be the presiding officer of such Commission and shall sign the minutes of the proceedings of the Commission and he shall sign all warrants drawn on the County Treasury and

all orders drawn on the funds or disbursements of the County, except as otherwise directed by the Commission, and it shall be his duty to prepare the order of business and obtain information for the sessions of the Commission and see that all orders thereof are properly executed, except as otherwise directed by the Commission. He shall act as the Purchasing Agent for said County and all purchases for and on behalf of said County by the said Commission or by any division or employee of said Commission, and all purchases by or for any office, officer or employee of the County, except those under the jurisdiction of and acting as for the Board of Education and paid out of the school funds, shall be made through the said Chairman and Purchasing Commissioner, and he is directed and required to use all proper care in purchasing to the best interest of the County, and shall perform such services only under the direction and control of the entire Commission and in the manner directed by them; and in addition thereto he shall perform all duties and have all rights, powers, jurisdiction, authority and privileges that may be granted to and required of the Chairman and Purchasing Division Commissioner by the said Commission, and all duties, powers, jurisdiction, authority and privileges that are now or may hereafter be granted to and required of the presiding officer of the Courts of County Commissioners Boards of Revenue, or other governing bodies of the Counties by the General Laws of the State, except as otherwise provided in this Act. The Commissioner designated as Chairman and Purchasing Division Commissioner shall give bond in the sum of \$5,000.00 payable to the County, conditioned upon the faithful performance of his duties with lawful sureties, to be approved by the Judge of Probate of such County.

The following new and additional duties and time shall be required of the County Commission and of the Commissioners:

The Commission shall maintain an office at the Court House and keep the same open for the dispatch of public business and for consultation with the public and persons having business with the County Commission each day except Sunday, holidays and Saturday afternoon and such office shall be kept open from 8:30 A. M. to 12:00 Noon and from 1:00 P. M. to 4:30 P. M., for the proper and effective service of the public.

#### OF THE CHAIRMAN AND PURCHASING DIVISION COMMISSIONER:

He shall require requisition from any officer, division or employee of the County for supplies, equipment and material necessary and proper in the functioning of the County business, and attend the purchase of the same, but no purchase shall be made in excess of \$100.00 unless and until the same has been authorized by the Commission in session assembled and such authorization entered in the minutes. At each meeting of the County Commission he shall have available for the Commission the details of all purchases made since the previous meeting, showing the article purchased, from whom purchased, the price paid therefor, the quantity purchased, for what office, officer or division the same was purchased and the object for which such purchase was made and the requisition therefor, to the end that the Commission as a whole and individually shall at all times be fully advised as to the expenditures made since the last preceding meeting.

#### OF THE ROAD AND BRIDGE COMMISSIONER:

He shall have jurisdiction over the location, construction, maintenance and repair of the roads and bridges in said County, under the jurisdiction of the County Commission. He shall render all necessary and proper assistance to the State Highway Department in its operation in the County. He shall make requisition upon the Chairman and Purchasing Division Commissioner for all necessary and proper purchases of supplies, material, and equipment, for the location, construction maintenance and repair of the roads, provided, however, it shall not be necessary for him

to make requisition for repair parts and for mainor equipment before purchasing the same when the same is needed for immediate use nor shall it be necessary for him to make requisition for authority to have minor repairs made on County road equipment and machinery, when to make such requisition would cause unnecessary and expensive delay. He shall budget the funds available for road location, construction, maintenance and repair and allocate the fair and reasonable amount of such funds to the location, maintenance and repair and shall maintain necessary and proper labor and technical employees and proper equipment within the funds available for the proper location, construction, repair and maintenance of the roads and bridges in every section of the County, and he shall report to the Commission his budget and his allocation of the funds, equipment, labors and employees, so that the Commission may pass upon the same and make such recommendations, changes and directions as it shall deem to the interest of the County.

#### OF THE FINANCE AND TAXATION COMMISSIONER:

He shall be charged with the duty of acquiring all necessary and proper information for the County Commission as to the financial condition of the County, and at each meeting having available for the Commission a complete statement showing all funds available and for what purpose created, all claims against the County and on which fund the same are chargeable and shall from time to time prepare a general budget for the County so as to fairly and equitable allocate and apportion the funds of the County to its several services and shall from time to time determine the probable expenditures and the probable income of the County from all available sources. He shall gather all necessary and proper information as to the assessed valuation of property in the County; and in the exercise and discharge of his duties he shall report to the Commission at each meeting his actions and make recommendations relating to the County's finances to the end that the County expenditures shall not exceed its income.

#### OF THE INDUSTRIAL AND CIVIC COMMISSIONER:

He shall make a survey of the resources of the County and have the same available for the Commission from time to time, to the end that the agricultural, mineral, timber, water labor and all other resources of the County shall be fully developed. He shall cooperate with the Department of Public Health, the Department of Public Welfare, the Agricultural Experiment Station, the Agricultural Extension Work Services, and the Federal and State Reforestation Services, as well as with all other services for the promotion of all its resources and render to them all proper assistance in their respective spheres of operation, and keep the Commission advised as to the activities and needs of the several departments and services. He shall cooperate with the several municipalities and communities in the County in the development of the such communities and municipalities, and keep the Commission advised as to his activities relative thereto.

**SECTION ELEVEN:** Any three of said Commissioners shall constitute a quorum for the transaction of business. The Commission shall meet in regular session at the Court House at least twice each calendar month. The regular session of the County Commission shall be on the first and third Monday of each month, and it shall continue to sit from day to day until the business of the Court shall be attended to; and it may adjourn to meet at a later date by resolution entered upon the minutes of the Court and no notice of the said meeting shall be necessary. Special meetings of the County Commission may be held at any time upon one day's notice to the members thereof; and two Commissioners or the presiding officer may call a special meeting. The notice required may be given by letter addressed to a member at the post office where he usually receives his mail; all sessions of the County Commission shall be held at

the Court House. The County Commission by resolution may hold any such monthly meeting on a day other than the first and third Mondays, or may by resolution adjourn to a day beyond a monthly meeting.

**SECTION TWO:** That if any section, paragraph, division or portion of this act shall be declared unconstitutional or void for any reason, it shall not affect the validity of the remaining sections, paragraphs, provisions or portions of this Act.

**SECTION THREE:** That all laws and parts of laws, general, local, or special, in conflict with the provisions of this Act, be and the same are hereby repealed.

**SECTION FOUR:** That this Act shall take effect on the first day of the month following its passage and approval or otherwise becoming the law or as soon thereafter as it may as to each section, paragraph and provision, under the Constitution of the State of Alabama. 25-4tc.

#### AFFIDAVIT OF PUBLICATION

##### STATE OF ALABAMA BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of Bill, a Court of Record Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 12, 1951 Vol. 62 No. 25

Date of 2nd publication July 19, 1951 Vol. 62 No. 26

Date of 3rd publication July 26, 1951 Vol. 62 No. 27

Date of 4th publication Aug. 2, 1951 Vol. 62 No. 28

Subscribed and sworn before the undersigned this 11th day of Aug., 1951.

**DOROTHY MARTIN**  
Notary Public, Baldwin County.

**JIMMY FAULKNER,**  
Publisher.

By Mr. Johnston (Mobile):

S. B. 629. To amend Section 467, Title 62 of the Code of Alabama of 1940.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given of intention to apply to the Legislature of Alabama for the passage of a local act in substance as follows:

##### A BILL TO BE ENTITLED AN ACT

To amend Section 467, Title 62 of the Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama:

Section One: That Section 467, Title 62 of the Code of Alabama of 1940 is amended to read as follows:

Section 467. How fund maintained. There shall be a pension and

relief system which applies to all employees, except members of the police and fire departments, in the city; and said municipal employees pension and relief fund, as provided for herein, shall, in addition to the means hereinafter provided, which shall not be the exclusive means, be received, obtained and created as follows: By payment into such fund by the proper authorities of such city monthly an amount equal to four per cent (4%) of the monthly salary of every employee in such city except members of the police and fire departments. Of such four per cent two per cent shall be held and deducted by the proper authorities from the monthly salary of said members of such departments and the remaining two per cent shall be paid into the fund by the proper authorities from funds other than funds derived from the aforesaid two per cent held and deducted from the salaries of the members of such departments. In addition there shall be paid into such fund that portion of the assessment that may be added as cost of court in connection with the prosecutions for violation of the laws of the State of Alabama, for offenses occurring within the limits of said city, or the police jurisdiction thereof, and should such funds, together with the funds hereinafter specifically provided in Sections 468, be insufficient to pay and defray the expenses and benefits as provided in this subdivision, the Board of Commissioners shall appropriate from any funds, not otherwise appropriated, a sufficient amount not to exceed \$30,000.00 annually, to make up such deficit and shall, in its budget, subsequent thereto, provide for a sufficient amount, not exceeding \$30,000.00 per annum, to make up such anticipated deficit in said funds.

Reg. July 21, 28; Aug. 4, 11.

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register July 21, 28, Aug. 4, 11 1951.

W. M. CURRAN.

Sworn to and subscribed before me This 11th day of Aug. 1951.

ALVIN A. JOHNSON,  
Notary Public.

By Mr. Johnston (Mobile):

S. B. 630. To amend Section 477, Title 62, Code of Alabama of 1940.  
Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given of intention to apply to the Legislature of Alabama for the passage of a local act in substance as follows:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 447, Title 62, Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama:

Section One: That Section 477, Title 62 of the Code of Alabama of 1940 is amended to read as follows:

Section 477: Retirement: twenty years consecutive service. Any employee of the City, except as herein otherwise provided, who has been in the service of the City for as long as twenty consecutive years and who is then employed by the City, upon his making application to the

Board of Commissioners therefor, shall be retired from service as an employee without medical examinations or disability. Any employee who has been in the service of the City for as long as twenty consecutive years and whose employment has been terminated prior to his making application for retirement from service as an employee shall be entitled to make application for retirement as an employee without medical examination or disability as if he were yet an employee of the City provided such application is made in writing to the Board of Commissioners within sixty days from the date his employment was terminated, and be entitled to the benefits accorded by this Act. Upon retirement in the manner provided by this section, the said Board of Commissioners shall direct the payment of such retiring person monthly, from such fund, a sum equal to one half of the monthly compensation or salary received by such retiring person as a salary in the service or employment of said City at the time of his or her retirement or termination; provided however that such payments to said retired person shall not commence or be effective until said person has attained the age of fifty five years and provided further that as to any City employees of said municipality who were not employed by the City on or before October 9, 1947, their retirement payments shall not commence or be effective until such person shall have attained the age of sixty years.

Reg. July 21, 28; Aug. 4, 11.

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspaper printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register July 21, 28, Aug. 4, 11 1951.

W. M. CURRAN.

Sworn to and subscribed before me this 11th day of Aug. 1951.

ALVIN A. JOHNSON,  
Notary Public.

By Mr. Johnston (Mobile):

S. B. 631. To amend Section 476, Title 62 of the Code of Alabama of 1940.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given of intention to apply to the Legislature of Alabama for the passage of a local act in substance as follows:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 476, Title 62, of the Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama:

Section One: That Section 476, Title 62 of the Code of Alabama of 1940 is amended to read as follows:

Section 476. Benefits for retirement caused by disability. If any employee of the city while in the performance of his duties, becomes or be found to be physically or mentally permanently disabled for services in his or her respective departments, by reason of service therein, so as to render his or her retirement from such services necessary, the Board of Commissioners shall make necessary orders and shall retire such disabled employee from service in the department in which the disability

occurred: and upon such retirement, such member shall be paid monthly, from such funds, an amount equal to sixty per centum of his monthly salary, the payments to be made during such disability. Should any such city employee who has been employed in the city's service for a period of fifteen years be found to be physically or mentally permanently disabled through no misconduct on his part for service in any city departments so as to render his retirement from such service necessary, the Board of Commissioners or other governing body of said city shall make necessary orders, and shall retire such disabled member from service with the city; and upon such retirement said city employee shall be paid from the municipal employee's pension and relief funds an amount equal to fifty per centum of his monthly salary. Such members may be called back and examined at any time under the orders of such authority, and may be ordered back to active service or to perform other services in connection with the city, such as he is able to perform, according to the instructions, finding and orders of such authority referred to.

Register July 21, 28, Aug. 4, 11

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register July 21, 28, Aug. 4, 11th 1951.

W. M. CURRAN.

Sworn to and subscribed before me this 11th day of Aug. 1951.

ALVIN A. JOHNSON,  
Notary Public.

By Mr. Johnston (Mobile):

S. B. 632. To amend Section 478, Title 62 of the Code of Alabama of 1940.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given of intention to apply to the Legislature of Alabama for the passage of a local act in substance as follows:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 478, Title 62 of the Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama:

Section One: That Section 478, Title 62 of the Code of Alabama of 1940 is amended to read as follows:

Section 478: Retirement benefits after twenty-five years, thirty years and thirty-five years service. Any employee of the city who has been in the service thereof for as long as twenty-five years, the last ten years of which have been continuous, upon making written application to the Board of Commissioners therefor, shall, without medical examination or disability, be retired from service of such city and upon such retirement, the said Board shall direct the payment to such retiring employee, if he be fifty-five years of age or more, monthly from such fund, a sum equal to one-half of the monthly compensation received by such employee as salary at the time of his retirement. Any employee of the city who has been in the service thereof for as long as thirty years continuously or as

long as thirty-five years, the last ten years of which have been continuous, upon making written application to the Board of Commissioners therefor, shall, without medical examination or disability, be retired from service of such city, and upon such retirement, the Board shall direct the payment to such retiring employee, if he be fifty-five years of age or more, monthly from such fund, a sum equal to fifty-five per centum of the monthly compensation received by such employee as salary at the time of his retirement. Any employee of the city who has been in the service thereof for as long as thirty-five years or longer continuously, or as long as forty years, the last ten years of which have been continuous, upon making written application to the Board of Commissioners therefor, shall, without medical examination or disability, be retired from service of such city and upon such retirement, the said Board shall direct the payment to such retiring employee, if he be fifty-five years of age or more, monthly from such fund, a sum equal to sixty per centum of the monthly compensation received by such employee as salary at the time of his retirement.

Register July 21, 28, Aug. 4, 11

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register July 21, 28, Aug. 4, 11th, 1951.

W. M. CURRAN.

Sworn to and subscribed before me this 11th day of Aug. 1951.

ALVIN A. JOHNSON,  
Notary Public.

By Mr. Johnston (Mobile):

S. B. 633. To provide that all persons who contribute to the Municipal Employees Pension Fund of the City of Mobile provided by Sections 465 through 491, Title 62, Code of 1940 and who have contributed to such funds for at least one full year, shall, upon their voluntary or involuntary separation from employment under circumstances other than circumstances entitling them to benefits, be entitled to repayment from the pension and retirement of amounts contributed by such person to the fund after the date of passage of this Act.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given of intention to apply to the Legislature of Alabama at the General Session of 1951 for passage of an act in substance as follows:

#### A BILL TO BE ENTITLED AN ACT

To provide that all persons who contribute to the Municipal Employees Pension Fund of the City of Mobile provided by Sections 465 through 491, Title 62, Code of 1940 and who have contributed to such funds for at least one full year, shall, upon their voluntary or involuntary separation from employment under circumstances other than circumstances entitling them to benefits, be entitled to repayment from the pension and retirement of amounts contributed by such person to the fund after the date of passage of this Act.

Be It Enacted by the Legislature of Alabama:

Section One: Whenever any person who contributes to the Municipal



Employees Pension Fund provided by Sections 465 through 491, Title 62, Code of Alabama of 1940, shall have contributed to such fund for at least one full year, he or she, upon being separated from service of the City of Mobile, (whether voluntarily or otherwise) under circumstances not entitling him or her to benefits, he or she shall be entitled to repayment from the pension and retirement fund of all amounts contributed by him or her to the fund from and after the effective date of this act, without interest.

Section Two: This act shall become effective on October 1, 1951, or on approval by the Governor, whichever is the later.

Register July 21, 28, Aug. 4, 11

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register July 21, 28, Aug. 4, 11th, 1951.

W. M. CURRAN.

Sworn to and subscribed before me This 11th day of Aug. 1951.

ALVIN A. JOHNSON,  
Notary Public.

By Mr. Hollis:

S. B. 634. To amend Section XVI, subsections A and B of Act No. 386, approved August 8, 1951, General Acts of 1951.

Committee on Finance and Taxation.

#### REPORTS OF COMMITTEES

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Russell, Harrison (Shelby), White (Covington), Shelton, Baker, Martin, Morgan (Jefferson), Dawkins, Pfleger and Kendall:

H. 263. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1952, and September 30, 1953, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind, and for the Teachers' Retirement System.

By Mr. White (Covington):

H. 289. To provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the Teachers' Retirement System, September 1, 1941, and who is not and never has been eligible for membership in the Teachers' Retirement System, and to provide a supplement to the retirement benefits of certain teachers who are now or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended by Act 637, General Acts 1947, p. 486; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act 209 approved July 7, 1945 and Act 301 approved August 14, 1947 relating to provisions for old age assistance to teachers.

By Mr. Wright:

S. 612. To make an appropriation to the Department of Public Safety for each of the years ending September 30, 1952 and September 30, 1953.

By Mr. Meeks:

H. 734. To amend Section 3 and 4 of Act 515, General Acts 1945, approved July 9, 1945.

By Messrs. Harrison (Shelby) and Russell:

H. 809. To abolish the fund in the State Treasury known as the Governor's Contingent Fund and to repeal Section 179, Title 55, Code of Alabama 1940, which relates to the Governor's Contingent Fund.

By Messrs. Russell and Harrison (Shelby):

H. 812. To create a fund in the State Treasury to be known as the Mansion Fund; to define the purposes for which said fund may be used and the manner of making withdrawals therefrom; to provide for the appropriation thereto; to repeal all laws in conflict herewith; and to provide the effective date of this Act.

By Mr. Whatley:

S. 611. To appropriate the sum of Twelve Thousand Five Hundred and no/100ths Dollars (\$12,500.00) for each of the fiscal years 1950-1951 and 1951-1952 from the Alabama Milk Control Board Fund to the Artificial Insemination Unit of the Alabama Polytechnic Institute.

By Messrs. Tennille, Scruggs, Givhan, Molette, Merrill, Garrett, Sellers, Hardy, Payne, Leonard, Martin, Adams (Dale), Engelhardt, Brannan, Faulk, Harrison (Wilcox), Mathews, Oakley, McNider, Edgar, McKee, Bassett, Belcher, Wesley, Haynes, Robinson, Russell, White (Cullman), Simpson, Denton and Dawkins:

H. 801. To authorize the Agricultural Center Board to lease the coliseum building and any facilities necessary in connection therewith forming a part of the Alabama Agricultural Center from any public corporation organized for the purpose of completing and equipping said coliseum building and facilities; to specify provisions for said lease; to authorize the said board to operate the properties leased and make contracts respecting the same and charges in connection therewith; to provide that said lease shall not constitute or give rise to an indebtedness of the state and that the rentals thereunder shall be payable solely out of moneys in the Agricultural Center Fund derived from the operation of the properties so leased and, to the extent to which such revenues may not be sufficient to pay said rentals and the operating and administrative expenses of the board, out of moneys accruing to the Agricultural Fund under the provisions of Section 31 of Title 2 of the Code of 1940, and to make continuing appropriations therefor out of said funds; to repeal Sections 2 and 4 of Act Number 282 adopted at the 1945 Regular Session of the Legislature of Alabama; and to specify the effective date of this Act.

By Messrs. Tennille, Scruggs, Givhan, Dawkins, Molette, Merrill, Garrett, Sellers, Hardy, Payne, Leonard, Martin, Adams (Dale), Engelhardt, Brannan, McNider, Faulk, Harrison (Wilcox), Mathews, Oakley, Edgar, McKee, Bassett, Belcher, Robinson, Haynes, Wesley, Russell, White (Cullman), Simpson and Denton:

H. 800. To authorize the creation of a public corporation for the purpose of completing the construction and equipment of the coliseum building and necessary facilities in connection therewith located in the Alabama Agricultural Center; to authorize the conveyance to the said corporation by the state of the said coliseum building in its present uncompleted condition together with lands in connection therewith; to authorize the issuance by said corporation of interest bearing revenue bonds, not exceeding \$1,250,000 in aggregate principal amount, for the purpose of completing the construction and equipment of the said coliseum building and necessary facilities in connection therewith and the improvement of said

lands, to be payable solely out of the rentals received in the leasing of properties of said corporation; to make provisions respecting such bonds including a provision that they shall constitute negotiable instruments; to authorize the lease by the said corporation of all or any part of its properties to the Agricultural Center Board; to authorize, as security for said bonds, the pledge of said lease and the rentals payable thereunder and the creation of a lien on said rentals; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge and lien and to provide that such filing will constitute constructive notice thereof; to provide the use to which the proceeds from the sale of said bonds may be put; to specify conditions covering the letting of contracts for the completion of the construction and equipment of said coliseum building and necessary facilities in connection therewith; to authorize the issuance of refunding bonds by said corporation; to impose on the State Treasurer the duty of disbursing the proceeds of said bonds and said rentals; to provide that said bonds shall constitute legal investments for fiduciaries, savings banks and insurance companies and shall be eligible as security for the deposit of funds of the state and its instrumentalities; to exempt from taxation the properties of said corporation and the rentals derived therefrom, the said bonds and the income therefrom, and all lease agreements and pledge and lien instruments authorized hereunder; to provide for the publication of notice of the adoption of a resolution authorizing the issuance of said bonds and to specify a limitation of time thereafter for actions or defenses questioning the validity of said bonds or the pledge made therefor; and to provide for the dissolution of said corporation and the conveyance to the state of the properties of the corporation upon payment of its bonds and the obligations incurred by it under the provisions of this act.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following Senate Bills and Resolution with the engrossed and original bills and Resolution respectively and finds same correctly enrolled, to-wit:

S. 64. To amend Title 14, Section 390, of the Code of Alabama of 1940 which relates to salary of the State Toxicologist.

Also:

S. 477. Relating to Winston County: To abolish the present County Court of Winston County, Alabama; to provide for the transfer of all causes pending in said Court to the COUNTY COURT OF WINSTON COUNTY, ALABAMA, and to provide for the disposition of all unsatisfied judgments, executions and forfeitures in said present County Court.

Also:

S. 478. Relating to Winston County: To create and establish the COUNTY COURT OF WINSTON COUNTY, ALABAMA; to define its jurisdiction and powers; to invest it with the criminal and civil jurisdiction concurrent with that of the justices of the peace of the County of Winston, Alabama, and all jurisdiction of the present County Court of Winston County, Alabama; to invest it with the powers and jurisdiction in criminal cases, non-support cases and juvenile cases heretofore exercised by the Judge of Probate of Winston County, Alabama, and to withdraw and take away from the Judge of Probate of Winston County all jurisdiction conferred by this Act upon the COUNTY COURT OF WINSTON COUNTY, ALABAMA; to provide for the time and place of holding said Court; to provide for the Judge and officers of said Court, their powers, duties, tenure and compensation; to prescribe the fees, costs and rules of procedure of said Court.

Also:

S. 166. To amend Title 22, Section 199, Code of Alabama of 1940, as amended, which relates to care of tubercular patients.

Also:

S. 449. To provide for an additional coroner in all counties having a population of not less than 30,000 and not more than 33,500 according to the last and any subsequent Federal census, and having two courthouses.

Also:

S. 504. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assign-

ment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

Also:

S. 508. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 78,000 and not more than 125,000 people, according to the 1950 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Also:

S. 509. To authorize all counties in the State of Alabama having a population of not less than 96,000 and not more than 141,000, according to the last Federal decennial census, or which shall hereafter have such population according to any Federal census, that may hereafter be taken, to make appropriations and expend out of their funds and revenues an amount not exceeding \$200.00 per annum to aid in the care of or for infirm sick persons, where such infirm sick persons are cared for within the corporate limits and police jurisdiction of any city situated within such county, who are unable to provide and care for themselves.

Also:

S. 511. To provide for the appointment of a humane officer in all counties in this state which may now have or which hereafter have a population of ninety-six thousand people and less than one hundred forty-

one thousand people according to the last Federal census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties.

Also:

S. J. R. 56. Relative to keeping intact as a unit the 31st Division (Dixie Division) composed of National Guard Units from the States of Alabama and Mississippi.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following Engrossed Bill with the Original Bill, and finds same correctly engrossed, to-wit:

By Mr. Whatley:

S. 531. To provide for the method of expending the appropriation made by subsection (19) of Section V in Act No. 386, H. B. 262, Regular Session, 1951.

J. B. RICHARDSON,  
Chairman.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 449. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

R. T. GOODWYN, JR.,  
Clerk.

#### RESOLUTIONS

The Rules Committee offered the following Senate Joint Resolution, to-wit:

S. J. R. 65. Be it Resolved by the Senate, the House concurring, that

when the two Houses adjourn today they adjourn to meet again on Thursday, August 16, 1951 at 10:00 A. M.

And said Resolution was adopted by the Senate.

Mr. Hollis offered the following Senate Joint Resolution, to-wit:

S. J. R. 66. Whereas, the death of Representative Truman A. Simpson of Fayette County is a serious loss to the State and the Legislature, and

Whereas, he was a valuable and sincere public servant who made a substantial contribution to the progress, prosperity and welfare of the State, now therefore

Be It Enacted by the Legislature of Alabama:

1. The death of Truman A. Simpson is deeply mourned by the members of the Legislature, and their sincere sympathy is hereby extended to the surviving members of his family.

2. The Secretary of the Senate is directed to forward a copy of this resolution to the family of Truman A. Simpson.

And said Resolution was adopted by the Senate.

Mr. Larkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 67. WHEREAS, Children suffer most when teachers are insecure in their position; and

WHEREAS, Tenure for teachers is a form of civil service for this important group of public employees; and

WHEREAS, Tenure seeks to keep the schools free from personal and political domination, to protect the teachers from unjust discharge, and to discourage school management based on fear; and

WHEREAS, Certain practices and procedures have become fixed in the administration of the Alabama law which tend to make it difficult for the law to be administered to the best interest of children, public, and teachers;

Therefore be it RESOLVED by the Senate of Alabama, with the House concurring, that the Presiding Officer of the Senate appoint a committee of two, and the Speaker of the House appoint a committee of three, to constitute a committee of five, the purpose of which shall be to make a comprehensive study of the present Alabama tenure law for teachers and to propose to the next regular session of the 1951 Legislature certain amendments to the existing law which shall serve to protect better the interests of the children, public, and teachers in the administration of said law.

Which was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 139. To authorize the county governing bodies of all counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any future regular decennial Federal Census to provide for the use of paper ballots or ballot boxes as well as voting machines at voting places in the county where voting machines are used, at any primary, municipal or general election.

Also:

H. 445. To require extra, new and additional duties of the Clerk of the Circuit Court of DeKalb County, Alabama; and to provide extra compensation for the performance of such duties.

Also:

H. 584. Relating to Blount County: To provide for the nomination and election of members of the Board of Education of Blount County, Alabama.

Also:

H. 590. To impose additional duties upon the chairman and associate members of the Board of Revenue of DeKalb County, Alabama, and providing additional compensation therefor.

Also:

H. 670. To create and establish a Board of Commissioners and Control of Cullman County, Alabama, in place of the present Board of Revenue and Road and Bridge Commissioner now existing in Cullman County, to consist of four members, and a Chairman of said Board, and one member to be from each of the four districts of the County; to abolish the Board of Revenue of Cullman County; to abolish the Road and Bridge Commissioner of Cullman County; to divide said County into four districts and to define the boundaries of each district; to fix the term of office, compensation, and duties of each, and to provide for the qualifications and election of such members and their successors from each of four districts, and the qualifications and election of the Chairman, and the election of his successor, and to fix his term of office; to provide the time and place of holding regular meetings of said Board; to confer upon said Board all the authority, jurisdiction and power granted to the Board of Revenue established and created by an Act of the Legislature of Alabama that became law on September 14, 1939, under Section 125 of the Constitution, Local Acts 1939, page 244; to confer upon said Chairman and Board respectively all the authority, jurisdiction and power granted to the Road and Bridge Commissioner of Cullman County, Alabama, by Act of the Legislature of Alabama approved February 15, 1939, Local Acts of 1939, page 13; to constitute each member of the Board District Supervisor for all public roads within his district; to provide that the Chairman fix a wage and salary scale for all employees engaged in work on the public roads of the County and to require that the same be uniform throughout the County; to provide that all supplies, material and equipment for the County and offices and officers of the County, and the Courthouse and jail, and other buildings, be purchased by the Chairman of the Board on order of the Board made at regular meetings of the Board on Monday after posting a purchase notice on the bulletin Board situated by the door of his office in the Courthouse requesting bids therefor, and requiring the Chairman to accept the lowest responsible bid and prescribing the procedure to be observed in making purchases and the records thereof to be made; to provide that Cullman County shall not be liable in any form on account for the price, value, or use of any property not purchased as provided for in this Act; to authorize the Chairman to make contracts for the purchase of gasoline, fuel oil, motor oil, cylinder oil, tires and tubes, machinery and equipment used in connection with the construction and maintenance of public roads and bridges in Cullman County, or either of them, and provide the manner of making such contracts; to authorize each member of the Board in emergencies and in cases where work on the roads within his district would be otherwise unduly delayed to purchase for the county needed equipment and materials at a cost not to exceed Fifty (\$50.00) Dollars, and to provide the method of making such purchases and to require that all claims against the County for the same state the Number of the districts for which such property



was sold, and the number of the purchase order pertaining thereto; to authorize each member of the Board, with the approval of the Chairman, to have repairs made to machinery and equipment used on the public roads within his district and to prescribe the manner in which said repair order shall be made for such repairs; to provide for the upkeep and repair of the Courthouse and jail and equipment and fixtures therein; to provide for the keeping of records by the Chairman and provide for clerical and stenographic assistance to the Chairman and to limit the cost thereof; to provide for the purchase by the Chairman of certain materials and equipment for his office, and provide the hours during which his office shall be open; to provide for official bonds to be given by the Members and Chairman of the Board to be approved by the Probate Judge; to provide a method for filling vacancies in the office of members of the Board and Chairman of the Board; to provide that one-half of the compensation of the Members and Chairman of the Board and stenographic and clerical assistance to the Chairman be paid out of the General Fund of the County, and one-half from the road and bridge funds of said county; to define what funds shall constitute the Road and Bridge funds of Cullman County, Alabama, and to provide that the Chairman shall be the custodian of said fund; to provide that all claims against the County in connection with the construction and maintenance of public roads and bridges of Cullman County, Alabama, be paid out of said fund upon warrants drawn by the Chairman; to prescribe the duties and responsibilities of the Members of the Board on the one hand and the Chairman of the Board on the other hand, respectively, to the establishment, construction and maintenance of the public roads of Cullman County; to repeal all laws in conflict with this Act, and to expressly repeal an Act of the Legislature of Alabama, approved February 15, 1939, Local Acts 1939, page 13, and a Local Act of the Legislature of Alabama, which became law September 14, 1939, under Section 125 of the Constitution, Local Acts 1939, page 244, and to fix the effective date of this Act and the effective date of the repeal of said Local Acts.

Also:

H. 769. To alter and rearrange the corporate limits of the City of Birmingham so as to include therein part of the territory located in Section 11, Township 17, Range 3, West in Jefferson County.

Also:

H. 793. To repeal Chapter 12, Title 12, Code of Alabama, 1940, which relates to civil service systems in counties having a population of two hundred thousand inhabitants or more according to the 1930 federal census and certain municipalities therein.

Also:

H. 799. Relating to Pickens County; dividing the county into forest protection districts; imposing certain duties upon the members of the Court of County Commissioners of said county with respect to such districts, and fixing their compensation for the performance of such an ex-officio duties.

Also:

H. 816. To authorize the Tax Collector of Counties having a population of 400,000 or more, according to the last or any subsequent Federal Census, to send notices of the amount of tax due through the United States Mail, and to authorize the payment of the cost of postage thereof by the County Commission.

Also:

H. 819. Relating to Choctaw County; providing for the election of the members of the County Board of Education.

Also:

H. 824. Relating to Baldwin County: proposing an amendment to the Constitution of Alabama relative to regulating the costs and charges of courts in Baldwin County, and the fees, commissions, percentages, allowances and salary of, and the method of compensating any officer of Baldwin County; and ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

Also:

H. 825. Relating to Baldwin County: To change the method of compensating certain county officers, placing them on a salary, and providing for assistants, office space, and equipment for them.

Also:

H. 831. Relating to Colbert County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

H. 832. Relating to Marion County: To amend Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

Also:

H. 833. Relating to Marion County: To prohibit any mayor or recorder from assuming or exercising any jurisdiction whatsoever in any criminal prosecution for an act or offense committed outside the police jurisdiction of the municipality for which such mayor or recorder was elected or appointed, and providing that the municipality shall be liable for a penalty at the suit of any person so prosecuted.

Also:

H. 834. Relating to Marion County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

H. 835. To alter and re-arrange the boundaries of the Town of Guin, Alabama

Also:

H. 836. Relating to Marion County: To prohibit any justice of the peace or notary with powers of a justice of the peace from assuming or exercising jurisdiction in any criminal prosecution for an act committed outside the boundaries of the beat or precinct for which such justice or notary was elected or appointed, and making a violation of this Act a misdemeanor.

Also:

H. 841. Relating to Madison County: To transfer all jurisdiction of juvenile cases from the Juvenile Court of Madison County to the Inferior Court of Huntsville.

Also:

H. 843. Relating to Madison County: To change the method of compensating the Sheriff of Madison County, placing him on a salary, and providing for his assistants, office space, and equipment.

Also:

H. 862. To Amend Section 78 of Title 62 of the Code of Alabama of 1940 relating to the holding of inquests by the Coroner of Mobile County, Alabama, and the summoning of a physician or surgeon by the Coroner to perform an autopsy.

Also:

H. 839. To Propose and provide for the submission of an amendment to the constitution of Alabama, to empower and authorize The City of Haleyville, Alabama, a Municipal Corporation in Winston County to acquire and dispose of all kinds of property, to promote the development of The City of Haleyville, Alabama, a Municipal Corporation in Winston County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to The City of Haleyville, Alabama, a Municipal Corporation.

Also:

H. 630. To fix the salary of County Superintendents of Education in all counties of the State of Alabama having a population of not less than 45,090 and not more than 46,550 according to the 1950 Federal Census, or any subsequent Federal census, and to provide when this Act shall take effect.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 842. Relating to Madison County: To change the method of compensating the Probate Judge, providing him with assistants, office space and equipment.

R. T. GOODWYN, JR.,  
Clerk.

## BILLS ON THIRD READING

The Bill:

H. 97. To provide for the election of the members of the Court of County Commissioners of Washington County.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amend Section 3 of H. B. 97 to read as follows:

"Section 3. This Act shall not become effective unless a majority of the qualified electors voting in an election to be held in Washington County on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature shall vote to adopt the provisions of this Act. On the ballot to be used at the election, which the governing body of the county shall provide for holding, the question shall be: 'Do you favor the adoption of the provisions of House Bill 97 as passed by the Legislature of Alabama at its 1951 Regular Session?' Only qualified electors of Washington County shall be entitled to vote at such election. Notice of the election shall be given by the probate judge not less than ten days before the election is to be held. The election shall be held and conducted and the returns thereof canvassed and tabulated in the same manner that constitutional amendment elections are held and the returns thereof canvassed and tabulated. If a majority of the votes cast at the election shall be in favor of the proposal, the provisions of this Act shall become effective immediately in Washington County, but if a majority shall oppose the proposal, the Act shall have no further force or effect."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Norrell
Andrews	Fant	Hollis	Thagard
Benson	Farmer	Jones	Todd
Boutwell	Faulkner	Locke (Choctaw)	Whatley
Byars	Foster	McCary	Wright
Clayton	Golson		

—21

Nays:

—0

And said Bill, as thus amended, was read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Eddins	High	Norrell
Andrews	Fant	Hollis	Thagard
Benson	Farmer	Jones	Todd
Boutwell	Faulkner	Larkins	Whatley
Byars	Foster	Locke (Choctaw)	Wright
Clayton	Golson	McCary	—21

Nays: —0

**The Bill:**

H. 781. Relating to Clarke County; providing for the election of the members and chairman of the county board of education, with the members to be elected by districts and the chairman to be elected at large.

Was read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Eddins	Larkins	Sollie
Andrews	Fant	Locke (Choctaw)	Thagard
Benson	Farmer	Robison	Todd
Boutwell	High	Skidmore	Whatley
Byars	Hollis	Smith	Wright
Clayton	Jones		—21

Nays: —0

**The Bill:**

H. 876. Relating to Limestone County; amending Section 2 of the Act approved July 27, 1931 (Act No. 541, S. 578, Local Acts, 1931, p. 258) entitled "An Act To create and establish a Board of Revenue in and for Limestone County, Alabama, to be composed of five members, one of whom shall be chairman of said board; to fix the qualifications of the chairman and the members of said board; to provide where the chairman and members of said board shall reside during their term of office; to abolish the Court of County Commissioners of said County; to divide said County into four districts and to define the boundaries of each of said districts; to designate, declare and appoint a member from each of said districts and to define the term of office of each of said members of the Board of Revenue so designated, declared and appointed; to provide for the appointment of the chairman of said board and to fix the term of his office under said appointment; to provide for the filling of vacancies in said board; to provide for the nomination of the chairman and each member of said board; to provide for the election of the chairman of the said board and the members designated, declared and appointed by this Act at the expiration of their respective terms of office; to define the power and jurisdiction of the said board; to fix the compensation of the chairman and members of said board; to confer upon the said board all the jurisdiction, power and authority granted by law to Courts of County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; to repeal all laws in conflict with this Act."

Was read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Boutwell	Foster	Hollis
Andrews	Byars	Golson	Jones
Benson	Faulkner	High	Larkins

McCary	Pinson	Richardson	Whatley	
Norrell	Quarles	Todd	Wright	
Phillips	Keneau			—21

Nays: —0

The Bill:

H. 905. To amend Section 2 of Act No. 485 adopted at the 1949 Regular Session of the Legislature of Alabama approved August 30, 1949 (Acts of Alabama of 1949, Regular Session, Page 704), which levied a Sales and Use Tax in Colbert County, so as to change the rate of the Use Tax levied thereby.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Norrell	
Andrews	Fant	Hollis	Reneau	
Benson	Farmer	Jones	Richardson	
Boutwell	Faulkner	Larkins	Thagard	
Byars	Foster	McCary	Todd	
Clayton	Golson			—21

Nays: —0

The Bill:

H. 705. To authorize and empower Boards of Revenue, Commissioners Courts or like governing bodies, in counties having a population of not less than 50,000 nor more than 60,000 inhabitants according to the 1940 Federal Census, to appoint a County Treasurer, to fix his duties, ex-officio services, compensation and method of payment.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. 705

Amend the title and the body of H. B. 705 by striking therefrom the figures, "50,000" and "60,000" where the same now appear therein, and by substituting in lieu thereof the figures, "52,000" and "62,000" respectively.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Sollie	
Andrews	Foster	McCary	Thagard	
Benson	Golson	Norrell	Todd	
Clayton	High	Phillips	Whatley	
Eddins	Hollis	Quarles	Wright	
Fant	Jones			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Sollie	
Andrews	Foster	McCary	Thagard	
Benson	Golson	Norrell	Todd	
Clayton	High	Phillips	Whatley	
Eddins	Hollis	Quarles	Wright	
Fant	Jones			—21

Nays: —0

The Bill:

H. 850. To authorize, empower and require the County Board of Education of Butler County, Alabama to pay the costs and expenses of the quadrennial school census of said county, to purchase and procure any and all necessary items and services, to pay all of the expenses in connection with the operation of the office of the County Board of Education, its officers and agents thereof, and to pay for the same from County School Funds.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Norrell	Richardson	
Andrews	High	Phillips	Thagard	
Benson	Hollis	Pinson	Todd	
Clayton	Jones	Quarles	Whatley	
Eddins	Larkins	Reneau	Wright	
Fant	McCary			—21

Nays: —0

The Bill:

H. 784. To alter and extend the boundaries of the City of Wetumpka, Elmore County, Alabama:

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	McCary	Sollie	
Clayton	Golson	Norrell	Thagard	
Eddins	High	Phillips	Todd	
Fant	Hollis	Pinson	Whatley	
Farmer	Jones	Reneau	Wright	
Faulkner	Larkins			—21

Nays: —0

The Bill:

S. 587. Relating to Talladega County: To abolish the Court of County Commissioners of Talladega County and create in lieu thereof the Board of Revenue of Talladega County; providing for its organization and for the election, term, compensation, expenses, powers and duties of its chairman and associate members; and providing for county purchases by the Board.

was taken up.

Mr. Wright offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 587

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Talladega County: To abolish the Court of County Commissioners of Talladega County and create in lieu thereof the Board of Revenue of Talladega County; providing for its organization and for the election, term, compensation, expenses, powers and duties of its chairman and associate members; providing for county purchases by the Board; and making the Act operative upon its approval by a majority of the voters of Talladega County voting in a referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners of Talladega County is hereby abolished and in lieu thereof there is hereby created the Board of Revenue of Talladega County.

Section 2. The Board of Revenue shall be composed of a chairman and four associate members. The qualified electors of Talladega County shall elect the chairman of the Board of Revenue from the county at large and a member of the Board of Revenue for each of the four commissioners' districts in the county as they are now constituted. A candidate for chairman of the Board must be qualified elector and resident of Talladega County. Each candidate for associate member of the Board must be a qualified elector and legal resident of the district which he seeks to represent. The chairman and members of the Board for districts 2 and 4 shall be elected at the general election of 1952 and every four years thereafter. Members of the Board for districts 1 and 3 shall be elected at the general election of 1954 and every four years thereafter. The chairman and associate members of the Board shall hold office for terms of four years from the first Monday after the second Tuesday in January next after their election and until their successors are elected and qualified. Until the election of members of the Board for districts 1 and 3 as provided herein the present members of the Court of County Commissioners from those districts shall serve as members of the Board.

Section 3. The chairman of the Board shall devote his entire time to the duties of his office and shall receive an annual salary of \$5,000. The associate members of the Board shall receive an annual salary of \$1200. Salaries of the chairman and associate members of the Board shall be paid from the county treasury in the same manner as the salaries of other county officials and employees are paid.

Section 4. The Board shall hold regular meetings on the first Monday of each month and may hold special meetings upon the call of the chairman or any three members of the Board. Three members of the Board shall constitute a quorum for the transaction of business. The Board shall keep complete and accurate written minutes of all meetings, business transacted and resolutions, and there shall be recorded therein the vote of each individual member, and at each meeting the minutes of the previous meeting shall be read and all minutes shall be open to public inspection at reasonable times.

Section 5. Except as otherwise provided herein the Board shall have all the jurisdiction and powers which are or may be vested in courts of county commissioners or boards of revenue by the general laws of the State, and the members thereof shall perform all the duties and services and exercise all the powers which are or may be provided by law for members of courts of county commissioners or boards of revenue.



Section 6. The president of the Board shall be its presiding officer, and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the Board, and shall sign all warrants drawn on the county treasury, unless in the event of his disability some other member of the Board shall be designated by an appropriate resolution of the Board so to do, and it shall be his duty to receive and prepare business and obtain information for the sessions of said Board, and to see to the execution of all orders thereof, and to report to the Board all infractions of the revenue law in said county of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required of the probate judge as to matters coming before the court of county commissioners. He shall devote his full time to the duties of his office.

Section 7. Each associate member shall keep constantly advised as to the condition of county roads, bridges, and buildings and see that the same are kept in repair and improved.

Section 8. Where any member of the Board shall use his privately owned automobile in and about the performance of his duties, he shall be furnished by the county, and at its expense, gasoline and motor oil, not to exceed fifty (50) gallons of gasoline and one and one-half (1½) gallons of motor oil during any calendar month, to be used in his said automobile while engaged in the performance of the duties of his office.

Section 9. The Board shall on all purchases for the county in excess of one thousand dollars and for not more than two thousand dollars, receive publicly, competitive bids therefor after due notice, by posting at the courthouse door for at least five days prior thereto of the proposed purchases and a brief specification thereof, but for all purchases in excess of two thousand dollars, like advertisements shall be given at least one time in a newspaper of general circulation in the county. The provisions of this Section shall not apply if purchases are made through any legally constituted state purchasing or contracting agency by whatever name or designation the same may be known.

Section 10. All laws or parts of laws in conflict with this Act are repealed.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. The substantial provisions of this Act shall become operative only if approved by a majority of the electors of Talladega County voting in a referendum to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature. The governing body of Talladega County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. \_\_\_\_\_, of the 1951 Regular Session of the Legislature, approved the \_\_\_\_\_ day of \_\_\_\_\_, 1951, be adopted? Yes ( ) No ( )." If a majority of the votes cast at the election are "yes," Section 2 of this Act shall become effective immediately and the remainder of the Act shall become effective on the first Monday after the second Tuesday in January 1953. If a majority are "no," the Act shall have no effect.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:  
Andrews  
Benson

Boutwell  
Faulkner  
Foster

Golson  
High  
Hollis

Jones  
Larkins  
McCary

<b>Norrell</b>	<b>Quarles</b>	<b>Thagard</b>	<b>Whatley</b>	
<b>Phillips</b>	<b>Smith</b>	<b>Todd</b>	<b>Wright</b>	
Pinson	Sollie			—21
<i>Nays:</i>				—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

<b>Messrs.:</b>	<b>Golson</b>	<b>Norrell</b>	<b>Sollie</b>	
<b>Andrews</b>	<b>High</b>	<b>Phillips</b>	<b>Thagard</b>	
<b>Benson</b>	<b>Hollis</b>	<b>Pinson</b>	<b>Todd</b>	
<b>Boutwell</b>	<b>Jones</b>	<b>Quarles</b>	<b>Whatley</b>	
<b>Faulkner</b>	<b>Larkins</b>	<b>Smith</b>	<b>Wright</b>	
<b>Foster</b>	<b>McCary</b>			—21
<i>Nays:</i>				—0

The Bill:

S. 592. Relating to Cherokee County; providing for the payment by the county of the compensation of the Chief Clerk in the office of the Judge of Probate.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

<b>Messrs.:</b>	<b>Eddins</b>	<b>Jones</b>	<b>Pinson</b>	
<b>Andrews</b>	<b>Fant</b>	<b>Larkins</b>	<b>Smith</b>	
<b>Benson</b>	<b>Farmer</b>	<b>McCary</b>	<b>Todd</b>	
<b>Boutwell</b>	<b>Golson</b>	<b>Norrell</b>	<b>Whatley</b>	
<b>Byars</b>	<b>High</b>	<b>Phillips</b>	<b>Wright</b>	
<b>Clayton</b>	<b>Hollis</b>			—21
<i>Nays:</i>				—0

The Bill:

S. 593. To authorize each of the municipalities of the State having a population of not less than thirteen thousand nor more than sixteen thousand three hundred inhabitants to acquire by purchase any hospital and, as all or a part of the purchase price, to assume any indebtedness on such hospital and to agree to postpone the maturity date thereof and pay interest thereon or issue its bonds, revenue bonds, warrants, or notes, in order to secure funds to pay the purchase price thereof or at the time of purchase or later to finance extensions and improvements thereto and to provide for covenants and obligations in favor of the holders of such bonds, revenue bonds, warrants or notes; and to permit each such municipality to create a Board of Hospital Managers, as a self perpetuating body to which such municipality may irrevocably delegate all powers, authority, functions and duties with respect to the management, operation and control of such hospital, and to provide for the election of the members of such board, the confirmation and removal of such members, the officers of the board, the compensation of members and officers of the board, the bylaws, powers, functions and duties of such board, and to limit the liability of the members of such board.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	<b>Farmer</b>	<b>Jones</b>	<b>Smith</b>
Boutwell	Faulkner	Larkins	Sollie
Byars	Foster	McCary	Todd
Clayton	Golson	Norrell	Whatley
Eddins	High	Phillips	Wright
Fant	Hollis		

—21

Nays:

—0

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Skidmore, further consideration of the Bill, H. B. 303, was indefinitely postponed by the Senate.

#### BILLS ON THIRD READING RESUMED

The Bill:

S. 594. To further amend Section 1 of an Act approved May 20, 1935 entitled, "An Act to allow the Sheriff of Elmore County, Alabama, an additional deputy sheriff to that now provided by law, to fix the salary of said deputy and make the same payable out of the General Funds of Elmore County in monthly installments, said deputy sheriff to be appointed by the Sheriff of Elmore County and to be located at Tallassee, Alabama, and shall be eligible to perform duties of his office anywhere in said County, and to require bond of said deputy sheriff and fix the amount thereof", as amended by Local Acts of 1939, page 177, approved August 25, 1939, and as further amended by Local Acts of 1949, page 62, approved June 2, 1949.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	<b>Fant</b>	<b>Jones</b>	<b>Pinson</b>
<b>Benson</b>	Farmer	Larkins	Reneau
Boutwell	Foster	McCary	Sollie
Byars	Golson	Norrell	Todd
Clayton	High	Phillips	Wright
Eddins	Hollis		

—21

Nays:

—0

The Bill:

S. 595. To ratify, validate and confirm all payments of mileage and salary heretofore made by the Court of County Commissioners of Elmore County to J. W. Holt as Deputy Sheriff of Elmore County under the provisions of Act No. 69, approved May 20, 1935 (Local Acts of 1935, page 7), as amended by Act No. 282, approved August 25, 1939 (Local Acts of 1939, page 177), and as further amended by Act No. 38, approved June 2, 1949 (Local Acts of 1949, page 62); and to provide that such payments to said deputy sheriff shall be deemed to be valid regardless of whether the said J. W. Holt resided at Tallassee, Alabama during the period of time when he received such payments.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Golson	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Benson	Hollis	Pinson	Todd	
Boutwell	Jones	Reneau	Whitley	
Byars	Larkins	Smith	Wright	
Farmer	McCary			—21

**Nays:** —0

**The Bill:**

S. 602. Relating to counties having a population of not less than twenty-five thousand seven hundred twenty-five nor more than twenty-five thousand nine hundred twenty-five inhabitants; authorizing the abolition of the city board of education in any municipality in such counties and the establishment in lieu thereof of an education commission of the city; providing for its organization, procedures, powers and duties, and for the selection, qualifications and compensation of its members.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Eddins	Jones	Sollie	
Andrews	Fant	Larkins	Thagard	
Benson	Farmer	McCary	Todd	
Boutwell	Golson	Pinson	Whitley	
Byars	High	Smith	Wright	
Clayton	Hollis			—21

**Nays:** —0

**The Bill:**

H. 581. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing and directing the governing body of any such county to provide for the employment of a deputy clerk in the office of the Clerk of the Circuit Court.

was taken up.

Mr. Locke (Choctaw) offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. 581

Amend Section 1 of the bill by striking the words "and directed" appearing together in the first sentence of said section.

Which was adopted.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Foster	Jones	Pinson
Andrews	Golson	Larkins	Quarles
Benson	High	Locke (Choctaw)	Reneau
Faulkner	Hollis	Phillips	Richardson

Smith	Thagard	Whatley	Wright	
Sollie	Todd			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	High	Pinson	Sollie	
Andrews	Hollis	Quarles	Thagard	
Benson	Jones	Keneau	Todd	
Faulkner	Larkins	Richardson	Whatley	
Foster	Locke (Choctaw)	Smith	Wright	
Golson	Phillips			—21

Nays: —0

The Bill:

H. 737. To change the name and designation of the office of License Inspector in and for Jefferson County, Alabama, to the Department of Revenue of Jefferson County, and to change the designation of the License Inspector to Director of Revenue; to provide for the appointment, tenure, powers, and duties of the Director of Revenue; and to change the name and designation of the office of Chief Deputy License Inspector in and for Jefferson County, Alabama, to Deputy Director of Revenue, and to provide that the said Deputy Director of Revenue shall perform the duties and exercise the powers conferred upon the Chief Deputy License Inspector by Act No. 536 of the Acts of Alabama of 1947 (Local Acts of Alabama of 1947, page 359), approved October 2, 1947, as amended; and to grant power to said Department to require information to be furnished, and to require the production of books, records, and papers for inspection.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Norrell	
Andrews	Fant	Hollis	Phillips	
Benson	Farmer	Jones	Pinson	
Boutwell	Faulkner	Larkins	Smith	
Byars	Foster	McCary	Sollie	
Clayton	Golson			—21

Nays: —0

The Bill:

H. 738. To provide for the combination of the office of License Inspector or Department of Revenue of Jefferson County, Alabama, and the office of Commissioner of Licenses of said County, whenever the offices of License Inspector or Department of Revenue or Commissioner of Licenses of said County shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law, and to provide for the salary of such Director, and to provide for the employees of such Department of Revenue.

was taken up.

Mr. Boutwell offered the following amendment to the Bill, to-wit:

## AMENDMENT TO H. B. 738

Amend Section 4 of House Bill 738 by striking out the words "if the Director of Revenue shall have delegated such duties and authority to him in writing" appearing in the last sentence thereof.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Smith	
Andrews	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Todd	
Boutwell	Golson	Norrell	Whatley	
Byars	High	Phillips	Wright	
Clayton	Hollis			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Smith	
Andrews	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Todd	
Boutwell	Golson	Norrell	Whatley	
Byars	High	Phillips	Wright	
Clayton	Hollis			—21

Nays: —0

The Bill:

H. 827. Relating to Escambia County; providing that the governing body of the county shall fix, and provide for the payment of the compensation of the county jailers.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Sollie	
Andrews	Faulkner	McCary	Thagard	
Benson	High	Norrell	Todd	
Byars	Hollis	Phillips	Whatley	
Eddins	Jones	Smith	Wright	
Fant				—21

Nays: —0

The Bill:

H. 897. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, so as to include in the territory of said municipality, in addition to the territory now embraced therein, the following described lands, to-wit:

Beginning at a point on the west line of the SE¼ of NE¼ of Section 32, Township 5 South of Range 4 West 1096 feet north of the southwest corner of said SE¼ of the NE¼, thence running north to the north-

west corner of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , thence running east to the northeast corner of the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 33, Township 5 South of Range 4 West, thence running south to the southeast corner of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 33, thence running west to the southeast corner of the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 33, thence north to the southeast corner of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 33, thence west to the southwest corner of the NW $\frac{1}{4}$  of said Section 33, thence running north along the west line of the NW $\frac{1}{4}$  of said Section 33 to the southeast corner of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 32, thence running west 190 feet, thence running north 67 feet, thence running west to the center line of the Somerville Road, thence running in a northerly direction along the center line of the Somerville Road to a point where said center line intersects a line running east from the point of beginning, thence running west to the point of beginning.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Farmer	Jones	Richardson	
Andrews	Faulkner	Larkins	Thagard	
Benson	Foster	Phillips	Todd	
Clayton	Golson	Pinson	Whatley	
Eddins	High	Quarles	Wright	
Fant	Hollis			—21

*Nays:*

—0

The Bill:

H. 898. Relating to Morgan County; fixing the salary of the coroner of said county at sixty dollars per month, to be paid out of the general fund of the county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Foster	Phillips	Sollie	
Andrews	Golson	Pinson	Thagard	
Benson	High	Quarles	Todd	
Fant	Hollis	Richardson	Whatley	
Farmer	Jones	Smith	Wright	
Faulkner	Larkins			—21

*Nays:*

—0

The Bill:

H. 899. To amend Sections 1 and 3 of an Act to fix the compensation or salary to be paid the Tax Collector of Morgan County, Alabama, being Act No. 464 of the regular session of the Legislature of Alabama of 1939, approved September 15, 1939, as amended by Act No. 71 of the Legislature of Alabama, approved May 28, 1943.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Foster	Hollis
Andrews	Farmer	Golson	Jones
Benson	Faulkner	High	Larkins

Phillips	Richardson	Thagard	Whatley	
Pinson	Smith	Todd	Wright	
Quarles	Sollie			—21
<i>Nays:</i>				—0

The Bill:

H. 900. To amend Section 1 and Section 3 of Act No. 361 of the Legislature of Alabama, which act became a law on September 14, 1939, and which act fixed the compensation or salary to be paid to the Tax Assessor of Morgan County, Alabama, as amended by Act No. 73 of the Legislature of Alabama, approved May 28, 1943.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Phillips	Sollie	
Andrews	Fant	Pinson	Thagard	
Benson	Farmer	Quarles	Todd	
Boutwell	Larkins	Richardson	Whatley	
Byars	McCary	Smith	Wright	
Clayton	Norrell			—21

*Nays:*

—0

#### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Robison, further consideration of the Bills, S. B. 577 and S. B. 578 was indefinitely postponed by the Senate.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 901. To fix the compensation of the Solicitor of the Morgan County Court in and for Morgan County, Alabama, and to provide the period during which this Act shall be effective.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Larkins	Richardson	
Andrews	Fant	McCary	Thagard	
Benson	Farmer	Norrell	Todd	
Boutwell	High	Phillips	Whatley	
Byars	Hollis	Pinson	Wright	
Clayton	Jones			—21

*Nays:*

—0

The Bill:

H. 902. To amend Sections 1 and 4 of an act approved May 28, 1943 providing for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the Legislature of 1943.

Was read a third time at length and passed.

Yeas 21; Nays 0.



*Yeas:*

Messrs.:	Eddins	Larkins	Richardson	
Andrews	Fant	McCary	Thagard	
Benson	Farmer	Norrell	Todd	
Boutwell	High	Phillips	Whatley	
Byars	Hollis	Pinson	Wright	
Clayton	Jones			—21

*Nays:* —0

The Bill:

H. 914. To amend Sections 10, 14, and 16 of an act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Hollis	Sollie	
Andrews	Fant	Jones	Thagard	
Benson	Farmer	Larkins	Todd	
Boutwell	Foster	Richardson	Whatley	
Byars	Golson	Smith	Wright	
Clayton	High			—21

*Nays:* —0

The Bill:

H. 922. To Extend, Alter and Re-arrange the Boundary Lines and Corporate Limits of the Town of Notasulga, in Macon and Lee Counties, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Farmer	Jones	Smith	
Andrews	Faulkner	Larkins	Sollie	
Byars	Foster	McCary	Todd	
Clayton	Golson	Norrell	Whatley	
Eddins	High	Phillips	Wright	
Fant	Hollis			—21

*Nays:* —0

The Bill:

H. 923. To authorize the governing body of any municipality in the State of Alabama having a population of as many as 78,000 people and not more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to

define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	High	Phillips	Sollie	
Andrews	Hollis	Pinson	Thagard	
Benson	Jones	Robison	Todd	
Eddins	Larkins	Skidmore	Whatley	
Fant	McCary	Smith	Wright	
Farmer	Norrell			—21

*Nays:*

—0

The Bill:

H. 924. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Hollis	Sollie	
Andrews	Fant	Jones	Thagard	
Benson	Farmer	Larkins	Todd	
Boutwell	Foster	Robison	Whatley	
Byars	Golson	Smith	Wright	
Clayton	High			—21

*Nays:*

—0

The Bill:

H. 933. Relating to St. Clair County: To impose extra, new, and additional duties upon the Tax Assessor and Tax Collector and providing additional compensation for the performance thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Smith	
Andrews	Farmer	McCary	Sollie	
Benson	Golson	Norrell	Todd	
Boutwell	High	Phillips	Whatley	
Byars	Hollis	Pinson	Wright	
Eddins	Jones			—21

*Nays:*

—0

The Bill:

H. 934. Relating to St. Clair County: To require the clerk in the

branch office of the Judge of Probate to serve as clerk of the county governing body at the branch courthouse and prescribing his compensation.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Smith
Andrews	Farmer	McCary	Sollie
Benson	Golson	Norrell	Todd
Boutwell	High	Phillips	Whately
Byars	Hollis	Pinson	Wright
Eddins	Jones		

—21

*Nays:*

—0

The Bill:

H. 936. To provide a civil service system governing the appointment, removal, promotion, demotion, tenure and official conduct of the employees of the City of Sylacauga, including the chiefs and superintendents of all departments, and excluding the common laborers; providing for the examination and appointment and promotion of members of the departments on a competitive merit basis; providing for the establishment of a Civil Service Board of Sylacauga composed of three members; providing for the appointment of the members of the Board by the Governor, prescribing their qualifications and fixing their compensation; prescribing the powers and duties of the Board and authorizing it to make rules and regulations for the administration of the Act; providing for hearings before the Board in cases of demotions or dismissals; prohibiting political activities by covered employees of the City of Sylacauga and prohibiting rewards to covered employees thereof for political support; requiring members of the police department to make bond; and prescribing penalties for violations of the Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Hollis	Phillips
Andrews	Farmer	Jones	Pinson
Benson	Faulkner	Larkins	Smith
Byars	Foster	McCary	Sollie
Clayton	Golson	Norrell	Wright
Eddins	High		

—21

*Nays:*

—0

The Bill:

H. 937. To fix the compensation of the members and the Chairman of the Board of Revenue and Control of Morgan County, Alabama, and to provide the period during which this act shall be effective.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Byars	Fant	Foster
Andrews	Clayton	Farmer	Golson
Benson	Eddins	Faulkner	High

Hollis	McCary	Pinson	Sollie	
Jones	Norrell	Smith	Wright	
Larkins	Phillips			—21
Nays:				—0

The Bill:

H. 938. To fix the salary of the County Superintendent of Education of Morgan County, Alabama, at the sum of Forty-eight Hundred Dollars (\$4800.00), beginning upon the approval of this Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Larkins	Sollie	
Andrews	Fant	McCary	Thagard	
Benson	Farmer	Norrell	Todd	
Boutwell	High	Richardson	Whatley	
Byars	Hollis	Smith	Wright	
Clayton	Jones			—21
Nays:				—0

The Bill:

H. 955. To fix the salary of the Probate Judge of all counties in the State having a population of not less than 63,750 nor more than 72,500 according to the preliminary count of the 1950 Federal Census or any subsequent decennial census of the United States.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Phillips	Sollie	
Andrews	Farmer	Pinson	Thagard	
Benson	High	Quarles	Todd	
Byars	Hollis	Reneau	Whatley	
Clayton	McCary	Smith	Wright	
Eddins	Norrell			—21
Nays:				—0

The Bill:

S. 591. To abolish the process of garnishment in aid of pending suits and on judgments in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, the provisions of which Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the civil Division of the Inferior Criminal Court of Mobile County, Alabama, and to repeal or declare inoperative all laws or parts of laws in conflict therewith.

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the Bill, to-wit:

Substitute for S. B. 591.

A BILL  
TO BE ENTITLED  
AN ACT

To abolish the process of garnishment in aid of pending suits in all proceedings in Courts of the Justices of the Peace in Mobile County, Ala-

bama, the provisions of which Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the Civil Division of the Inferior Criminal Court of Mobile County, Alabama, and to repeal or declare inoperative all laws or parts of laws in conflict therewith.

Be It Enacted by the Legislature of Alabama:

Section 1. That the process of garnishment in aid of pending suits in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, is hereby abolished.

Section 2. The provisions of this Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the Civil Division of the Inferior Criminal Court of Mobile County, Alabama.

Section 3. All process of garnishment in aid of pending suits, or any attempt to institute such process, in courts of Justices of the Peace in Mobile County, Alabama, shall be absolutely void and of no effect.

Section 4. That this Act shall not apply to the process of garnishment on any judgments rendered in courts of the Justices of the Peace in Mobile County, Alabama, prior to the date of this Act becoming a law.

Section 5. That all laws and parts of laws, general, special or local, in conflict herewith, be and the same are hereby repealed or declared inoperative as to Mobile County in this state.

Section 6. That this Act shall be effective and in force on and after its passage, and approval by the Governor, or its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Phillips
Andrews	Farmer	Jones	Smith
Benson	Faulkner	Larkins	Todd
Byars	Foster	McCary	Whatley
Clayton	Golson	Norrell	Wright
Eddins	High		

—21

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Phillips
Andrews	Farmer	Jones	Smith
Benson	Faulkner	Larkins	Todd
Byars	Foster	McCary	Whatley
Clayton	Golson	Norrell	Wright
Eddins	High		

—21

Nays:

—0

The Bill:

S. 588. Relating to counties having a population of not less than

ninety-six thousand nor more than one hundred forty thousand inhabitants according to the last or any subsequent federal census; to provide for the county and the municipalities therein having a population of five thousand inhabitants or more according to the last or any subsequent federal census a civil service system governing the appointment, removal, salaries, tenure, and official conduct of certain employees thereof; creating a citizens supervisory committee and prescribing its organization, powers and duties; creating a personnel department composed of a personnel board and a personnel director; providing for the appointment, organization, powers and duties of the board and for the compensation of its members; providing for the selection, qualifications, compensation, powers, duties and functions of the director; providing for the payment of the expenses incurred in the administration of this Act; and defining violations of the Act and prescribing penalties therefor.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Phillips	
Andrews	Farmer	Jones	Robison	
Benson	Faulkner	Larkins	Todd	
Byars	Foster	McCary	Whatley	
Clayton	Golson	Norrell	Wright	
Eddins	High			—21

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bills:

H. 97. To provide for the election of the members of the Court of County Commissioners of Washington County.

Also:

H. 705. To authorize and empower Boards of Revenue, Commissioners Courts or like governing bodies, in counties having a population of not less than 52,000 nor more than 62,000 inhabitants according to the 1940 Federal Census, to appoint a County Treasurer, to fix his duties, ex-officio services, compensation and method of payment.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate joint resolution:

By Mr. Robison:

S. J. R. 64. Relating to the naming of Senate Bills 504, 505, 506, 507, 508, 509 and 511 the Robison, Dawkins, Hall, Tennille and Sellers bills.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate joint Resolution:

By Mr. Hollis:

S. J. R. 66. Relating to expressing sympathy to the family of Truman A. Simpson.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 274. To amend Sections 60 and 61 of Title 36 of the Code of Alabama, 1940, which relate to the registration and licensing of drivers.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House: Messrs. Adams (Tallapoosa), Martin and Sellers.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Wright, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 274, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Wright, Skidmore and Richardson.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 472. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Golson	Locke (Choctaw)	Reneau
Andrews	High	Locke (Perry)	Robison
Boutwell	Hollis	McCary	Skidmore
Eddins	Johnson (Chambers)	Norrell	Smith
Fant	Johnston (Mobile)	Phillips	Sollie
Farmer	Jones	Pinson	Thagard
Faulkner	Larkins	Quarles	Wright
Foster			

—28

Nays:

—0

**The Bill:**

S. 585. To amend Subsection (g) of Section 3 of Act No. 460, Senate Bill 431, approved August 25, 1949, entitled "An Act to amend Sections 1 and 3 of Act No. 523, Senate Bill 315, approved September 30, 1947, entitled, 'An Act to create and establish a Water Improvement Advisory Commission; to define the duties, jurisdiction, and powers of such commission; to provide for its personnel, and the term of office and method for appointment of same; to provide for regular and special meetings of said Commission; to appropriate the sum of Fifty Thousand and No/100 (50,000.00) Dollars annually for each of the fiscal years 1948 and 1949, for the purpose of carrying out the provisions of this Act; and for other purposes.'"

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 0.

**Yeas:**

Messrs.:	Farmer	Johnston (Mobile)	Pinson
Andrews	Faulkner	Jones	Quarles
Boutwell	Foster	Larkins	Reneau
Byars	Golson	Locke (Choctaw)	Robison
Clayton	High	McCary	Smith
Eddins	Hollis	Norrell	Sollie
Fant	Johnson (Chambers)	Phillips	Wright

—27

**Nays:**

—0

**The Bill:**

H. 940. To create a fund which shall be known as "Solicitor's Fund, Bessemer Division", to provide for the appropriation of monies to said fund from the Solicitor's Fund of Jefferson County, Alabama; to authorize the expenditure of said fund by the Deputy Circuit Solicitor elected by the people in and for the Bessemer Division of Jefferson County and to provide for the purposes for which said fund may be so expended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Fant	Hollis	Phillips
Andrews	Farmer	Jones	Thagard
Boutwell	Faulkner	Larkins	Todd
Byars	Foster	McCary	Whatley
Clayton	Golson	Norrell	Wright
Eddins	High		

—21

**Nays:**

—0

**The Bill:**

S. 440. To propose amendments to Sections 272, 273 and 276, Article XV, Constitution of Alabama, pertaining to the organization, equipment, and discipline of the State Military forces; the administering of State military affairs; the appointment, suspension, discharge, removal and compulsory retirement of State military officers and The Adjutant General; and the qualifications of members of the Federally recognized National Guard.



Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment;

Yeas 28; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Robison
Andrews	Foster	Larkins	Skidmore
Benson	Golson	Locke (Perry)	Smith
Bonner	High	Norrell	Sollie
Boutwell	Hollis	Pinson	Thagard
Clayton	Johnson (Chambers)	Quarles	Whatley
Eddins	Johnston (Mobile)	Reneau	Wright
Fant			

—28

Nays:

—0

The Bill:

H. 796. To amend Section 151 of Title 52 of the 1940 Code of Alabama.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Reneau
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Sollie
Byars	Hollis	Norrell	Thagard
Clayton	Johnson (Chambers)	Phillips	Todd
Eddins	Johnston (Mobile)	Pinson	Whatley
Fant	Jones	Quarles	Wright

—31

Nays:

—0

The Bill:

S. 473. To amend Section 567, Title 52, Code of Alabama, 1940, which relates to the acquisition of title to school lands by adverse possession.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 28; Nays 2.

Yeas:

Messrs.:	Farmer	Jones	Richardson
Benson	Foster	Larkins	Robison
Bonner	Golson	Locke (Choctaw)	Skidmore
Boutwell	High	Locke (Perry)	Sollie
Byars	Hollis	Pinson	Thagard
Clayton	Johnson (Chambers)	Quarles	Todd
Eddins	Johnston (Mobile)	Reneau	Whatley
Fant			

—28

Nays: Messrs.: McCary and Smith

—2

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Hollis, further consideration of the Bill, S. B. 149, was indefinitely postponed by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 866. For the relief of Mrs. Bessie Huey out of the general fund of Jefferson County, Alabama.

Also:

H. 867. For the relief of H. D. VanNornum and Selina VanNornum, in the sum of One Thousand Six Hundred Twenty-Five (\$1,625.00) Dollars, in that on, to-wit, December 15, 1949, a duly authorized agent, servant, or employee of Jefferson County, Alabama, Charles A. Johnson, negligently drove a truck into an automobile in which H. D. VanNornum and Selina VanNornum were riding, painfully injuring them and causing extensive property damage, in Jefferson County, Alabama, near Homewood.

Also:

H. 868. To further define the powers and duties of the County Commission or other governing body of Jefferson County, Alabama, by whatever name said governing body may now or hereafter be called.

Also:

H. 869. To amend Section 81 of Title 11, of the Code of Alabama of 1940.

Also:

H. 116. To amend Sections 420 and 421 of Title 14 of the Code of Alabama (1940), as amended, which relate to Sunday violations.

Also:

H. 348. To amend Act No. 515, H. 93, approved July 9, 1945, entitled "An Act To establish an employees' retirement system; to determine membership and conditions of membership in said system; to provide for a board of control of said system and for the administration of its affairs; to provide for officers and a medical board and to define their duties; to provide for the adoption of mortality, service and other actuarial tables as may be deemed necessary; to provide for the management of the funds of the said system; to provide a method of financing said system; and to provide an appropriation to carry out the provisions of the Act."

Also:

H. 449. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Also:

H. 842. Relating to Madison County: To change the method of com-

pensating the Probate Judge, providing him with assistants, office space and equipment.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 97. To provide for the election of the members of the Court of County Commissioners of Washington County.

Also:

H. 705. To authorize and empower Boards of Revenue, Commissioners Courts or like governing bodies, in counties having a population of not less than 52,000 nor more than 62,000 inhabitants according to the 1940 Federal Census, to appoint a County Treasurer, to fix his duties, ex-officio services, compensation and method of payment.

Also:

H. 781. Relating to Clarke County; providing for the election of the members and chairman of the county board of education, with the members to be elected by districts and the chairman to be elected at large.

Also:

H. 784. To alter and extend the boundaries of the City of Wetumpka, Elmore County, Alabama:

Also:

H. 850. To authorize, empower and require the County Board of Education of Butler County, Alabama to pay the costs and expenses of the quadrennial school census of said county, to purchase and procure any and all necessary items and services, to pay all of the expenses in connection with the operation of the office of the County Board of Education, its officers and agents thereof, and to pay for the same from County School Funds.

Also:

H. 876. Relating to Limestone County; amending Section 2 of the Act approved July 27, 1931 (Act No. 541, S. 578, Local Acts, 1931, p. 258) entitled "An Act To create and establish a Board of Revenue in and for Limestone County, Alabama, to be composed of five members, one of whom shall be chairman of said board; to fix the qualifications of the chairman and the members of said board; to provide where the chairman and members of said board shall reside during their term of office; to abolish the Court of County Commissioners of said County; to divide said County into four districts and to define the boundaries of each of said districts; to designate, declare and appoint a member from each of said districts and to define the term of office of each of said members of the Board of Revenue so designated, declared and appointed; to provide for

the appointment of the chairman of said board and to fix the term of his office under said appointment; to provide for the filling of vacancies in said board; to provide for the nomination of the chairman and each member of said board; to provide for the election of the chairman of the said board and the members designated, declared and appointed by this Act at the expiration of their respective terms of office; to define the power and jurisdiction of the said board; to fix the compensation of the chairman and members of said board; to confer upon the said board all the jurisdiction, power and authority granted by law to Courts of County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; to repeal all laws in conflict with this Act."

Also:

H. 905. To amend Section 2 of Act No. 485 adopted at the 1949 Regular Session of the Legislature of Alabama Approved August 30, 1949 (Acts of Alabama of 1949, Regular Session, Page 704), which levied a Sales and Use Tax in Colbert County, so as to change the rate of the Use Tax levied thereby.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 738. To provide for the combination of the office of License Inspector or Department of Revenue of Jefferson County, Alabama, and the office of Commissioner of Licenses of said County, whenever the offices of License Inspector or Department of Revenue or Commissioner of Licenses of said County shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law, and to provide for the salary of such Director, and to provide for the employees of such Department of Revenue.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. White (Cullman):

H. 980. To authorize the Road and Bridge Commissioner of Cullman County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, associations, and refiners selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naphtha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude

oil" commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; to authorize said Road and Bridge Commissioner of said county, to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provisions for the distribution of the funds derived from said privilege tax; to provide for the use of the money derived from said privilege tax and to provide penalties for the violation of such rules and regulations.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the Road and Bridge Commissioner of Cullman County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, associations, and refiners selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil", "fuel oil", or "crude oil" commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; to authorize said Road and Bridge Commissioners of said county, to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provisions for the distribution of the funds derived from said privilege tax; to provide for the use of the money derived from said privilege tax and to provide penalties for the violation of such rules and regulations.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Road and Bridge Commissioner of Cullman County, Alabama, may for the purpose of constructing and maintaining public roads, streets, bridges and ferries in Cullman, County, Alabama, levy and collect, in addition to all other taxes now imposed, a privilege tax of not more than one cent per gallon on all gasoline, naptha, and other liquid motor fuels or any device or substitute therefor, commonly used in internal combustion engines provided, however, that nothing contained herein, shall be held to apply to those products known commercially as "kerosene oil", "fuel oil", or "crude oil" commonly used for lighting, heating or industrial purposes, sold or delivered in said County, for the privilege of selling or delivering same.

Section 2. That said Road and Bridge Commissioner may also provide rules and regulations and machinery for the collection of such privilege tax.

Section 3. All of the net proceeds of said privilege tax collected within the corporate limits of any incorporated city or town in Cullman County, Alabama, shall be paid over to such incorporated city or town each month as collected.

Section 4. That all such privilege taxes to be levied or imposed under this Act and the money derived therefrom shall be used exclusively for the purpose of constructing and maintaining public road, streets, bridges and ferries in said county of Cullman, but the money accruing hereunder to any incorporated city or municipality may be expended as may be directed by the constituted authorities of such incorporated city or municipality.

Section 5. That any persons, firms, corporations, co-partnerships, companies, agencies, associations, and refiners, violating any of the provisions of this act, or any rules and regulations and machinery for the collection of such privilege tax made and promulgated by the Road and

Bridge Commissioner of Cullman County, Alabama, shall be guilty of a misdemeanor.

Section 6. This Act shall not be deemed in any respect to repeal or supercede Act No. 56, H. 325, approved May 28, 1943 (Local Acts of Alabama, 1943, page 28), but any taxes levied hereunder shall be in addition to any taxes levied under such Act.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective on the first day of the calendar month next succeeding its passage and approval by the Governor, or its otherwise becoming a law.

July 12-19-26, Aug. 2c.

**STATE OF ALABAMA  
CULLMAN COUNTY**

Before me, \_\_\_\_\_ a \_\_\_\_\_ in and for said County and State, personally appeared J. R. Rosson, publisher of the Cullman Democrat, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says, that the notice of which the attached is a true copy, was published in said newspaper, once a week, for Four successive weeks and being in the issues of the said newspaper of the following dates, viz July 12, 19, 26, August 2, 1951.

J. R. ROSSON,  
Publisher.

Sworn to and subscribed before me this the 2 day of August, 1951.

SELMA SMITH,  
Notary Public.

Also:

By Messrs. Solomon and Malone (Houston):

H. 930. Relating to the Twentieth Judicial Circuit, which is composed of Houston and Henry Counties; fixing the compensation of the official court reporter of such circuit and providing for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

**LEGAL NOTICE**

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to the Twentieth Judicial Circuit, which is composed of Houston and Henry counties; fixing the compensation of the official court reporter of such circuit and providing for the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The official court reporter of the Twentieth Judicial Circuit of Alabama shall receive a salary of forty-four hundred dollars per annum, thirty-two hundred dollars of which shall be payable in monthly installments by the counties composing the circuit, each county to pay its pro rata of such salary based upon the assessed value of all taxable property of such county for the preceding year on certificate issued by the judge of the court in favor of such reporter for the amount due by the county each month, and the remaining twelve hundred dollars shall be paid in equal monthly installments on the warrant of the state comptroller from the general fund in the state treasury.

Section 2. The salary provided for in this act shall be the entire compensation of the official court reporter of the Twentieth Judicial Circuit of Alabama, and all laws or parts of laws, general, special, or local, which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4tc July 19

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
HENRY COUNTY

Before me, \_\_\_\_\_ a \_\_\_\_\_ in and for said County, in said State, personally appeared J. Edward Dodd, who is known to me, and who by me being duly sworn, deposes and says that he is the Publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit:

June 28, 1951, July 5, 1951, July 12, 1951, July 19, 1951.

The Abbeville Herald,  
By J. EDWARD DODD.

Sworn to and subscribed before me, this 26 day of July, 1951.

DORIS CUTCHEN,  
Notary Public.

#### A BILL TO BE ENTITLED AN ACT

Relating to the Twentieth Judicial Circuit, which is composed of Houston and Henry counties; fixing the compensation of the official court reporter of such circuit and providing for the payment thereof:

Be It Enacted by the Legislature of Alabama:

Section 1. The official court reporter of the Twentieth Judicial Circuit of Alabama shall receive a salary of forty-four hundred dollars per annum, thirty-two hundred dollars of which shall be payable in monthly installments by the counties composing the circuit, each county to pay its pro rata of such salary based upon the assessed value of all taxable property of such county for the preceding year on certificate issued by the judge of the court in favor of such reporter for the amount due by the county each month, and the remaining twelve hundred dollars shall be paid in equal monthly installments on the warrant of the state comptroller from the general fund in the state treasury.

Section 2. The salary provided for in this Act shall be the entire compensation of the official court reporter of the Twentieth Judicial Circuit of Alabama, and all laws or parts of laws, general, special, or local, which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

J-21-28-July 5-12

## PROOF OF PUBLICATION

STATE OF ALABAMA  
HOUSTON COUNTY

Personally appeared before the undersigned, a Notary Public in and for said County and State Eugene S. McClintic, who deposes and says on oath, that he is Editor-Publisher of The Houston Herald, that said Houston Herald is printed in the English language; is printed and published in Houston County; has a general circulation in Houston County, and is mailed under the second class mailing privilege of the United States Postoffice department from the Dothan postoffice. Said Houston Herald was published for more than fifty-two consecutive weeks prior to, and continuously throughout the publication dates of the attached advertisement, which was published for 4 consecutive weeks on the following dates: June 21-28, July 5-12 1951.

Signed EUGENE S. McCLINTIC,  
Editor-Publisher.

Sworn to and subscribed before me this the 22nd day of July, 1951.

JAMES L. ACREE,  
Notary Public.

Also:

By Mr. Coburn:

H. 981. To amend Section 12 of Act No. 131 adopted at the 1949 Regular Session of the Legislature of Alabama, approved June 23, 1949, (Acts of Alabama of 1949, Regular Session, Page 157), which Act created and established a Board of Revenue in and for Colbert County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

## NOTICE

STATE OF ALABAMA  
COLBERT COUNTY

NOTICE is hereby given that at the current session of the Legislature of Alabama, a Bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 12 of Act No. 131 adopted at the 1949 Regular Session of the Legislature of Alabama, approved June 23, 1949, (Acts of Alabama of 1949, Regular Session, Page 157), which Act created and established a Board of Revenue in and for Colbert County, Alabama.

Be It Enacted by the Legislature of Alabama, as Follows:

Section 1. Section 12 of Act No. 131 adopted at the 1949 Regular Session of the Legislature of Alabama, approved June 23, 1949, (Acts of Alabama of 1949, Page 157), be and the same is hereby amended to read as follows:

Section 12. The Chairman of the said Board of Revenue is required to give his entire time and attention to the business of the said Board; the said Chairman shall sign the minutes of the proceedings of said Board and shall sign all warrants drawn on the County Treasury, or orders for the payment or disbursements of money or funds for the County. It is hereby made the duty of the said Chairman to receive and prepare the business and obtain information for the sessions of the said Board and to



see to the execution of all orders of said Board. The Board of Revenue shall purchase all supplies for Colbert County and no purchase shall be made except at a regular or adjourned meeting of the Board while it is in session and no contract or purchase shall be binding on Colbert County made contrary to the provisions of this Act. The purpose and intent being to require all the purchases to be made by the Board sitting as the Board of Revenue, provided, however, the Board of Revenue or the several members thereof may purchase necessary parts, repairs and materials, books, stationery and supplies, when the cost of such necessary expenditures are not in excess of \$150.00 without complying with the provisions of this Act. In case of purchases of materials, books, stationery and supplies where the cost exceeds \$150.00 requisitions for such materials, books, stationery and supplies needed by the various officers of Colbert County shall be made to said Chairman of the Board of Revenue who shall present said requisitions to the Board of Revenue at any subsequent meeting and said Board shall, after it has examined said requisition and found same to be correct and if in the opinion of the Board the said materials, books, stationery and supplies for said offices are necessary, direct the Chairman to secure bids from responsible business establishments as required by this Act. The purchases and expenditures of County funds by the members of the Board of Revenue and the Board of Revenue shall be governed by the provisions of Section 3 of Title 41 of the 1940 Code of Alabama which said Section 3 is known as the uniform system of accounting and reporting.

7-12-4tc.

**STATE OF ALABAMA  
COLBERT COUNTY**

Before me, a notary public in and for said state and county personally appeared W. F. Miller, who being duly sworn by me deposes and says:

That he is the publisher of Colbert County Reporter, a newspaper published in Tuscumbia, Colbert County, Alabama, and that the foregoing notice was duly published in the said Colbert County Reporter in four consecutive issues of said newspaper, on July 12th, 19th and 26th, and August 2, 1951.

W. F. MILLER.

Sworn to and subscribed before me on this 4th day of August, 1951.

OSCAR U. FOWLER,  
Notary Public.

Also:

By Messrs. Leonard and Payne:

H. 982. To fix the compensation of the Tax Assessor of Talladega County for assessing and the Tax Collector of Talladega County for collecting municipal ad valorem taxes of motor vehicles for municipalities in Talladega County, Alabama, under Title 51, Section 704 of the Code of Alabama of 1940, as amended.

With notice and proof thereto attached and herewith exhibited as follows:

**NOTICE**

**STATE OF ALABAMA  
TALLADEGA COUNTY**

Notice is hereby given that the following bill will be introduced and passed at the 1951 Session of the Legislature of Alabama.

**AN ACT**

**To fix the compensation of the Tax Assessor of Talladega County for**

assessing and the Tax Collector of Talladega County for collecting municipal ad valorem taxes of motor vehicles for municipalities in Talladega County, Alabama, under Title 51, Section 704 of the Code of Alabama of 1940, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. That the compensation of the Tax Assessor of Talladega County, Alabama, for assessing municipal ad valorem taxes of motor vehicles for municipalities in Talladega County, under Title 51, Section 704, of the Code of Alabama of 1940, as amended, shall be two per cent of the amount of such taxes collected.

Section 2. That the compensation of the Tax Collector of Talladega County, Alabama, for collecting municipal ad valorem taxes of motor vehicles for municipalities in Talladega County under Title 51, Section 704 of the Code of Alabama, as amended, shall be two per cent of the amount of such taxes collected.

Section 3. All laws or parts of laws in conflict with this Act are hereby expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

J12 4tc

STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public, in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the Sylacauga Advance a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit in the issues hereof dated as follows:

July 12, 1951, July 19, 1951, July 26 1951, August 2, 1951.

W. A. MOODY.

Subscribed and sworn to before me this 6 day of August 1951.

SUE S. SUMMERLIN,  
Notary Public.

Also:

By Messrs. Leonard and Payne:

H. 983. To fix the compensation of the Tax Assessor of Talladega County for assessing and the Tax Collector of Talladega County for collecting municipal ad valorem taxes in those municipalities in Talladega County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA  
TALLADEGA COUNTY

Notice is hereby given that the following bill will be introduced and passed at the 1951 Session of the Legislature of Alabama.

## AN ACT

To fix the compensation of the Tax Assessor of Talladega County for assessing and the Tax Collector of Talladega County for collecting municipal ad valorem taxes in those municipalities in Talladega County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. That in those municipalities in Talladega County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended, the compensation of the Tax Assessor for assessing municipal ad valorem taxes shall be two per cent of the amount of such taxes; and the compensation of the Tax Collector for collecting municipal ad valorem taxes shall be two per cent of the amount of such taxes.

Section 2. That the compensation herein provided for the Tax Assessor and Tax Collector of Talladega County shall be retained by the Tax Collector of Talladega County out of such municipal ad valorem taxes collected by him; and he shall pay to the Tax Assessor of Talladega County his portion of such compensation at such times as he makes payments to the municipality or municipalities of the municipal ad valorem taxes so collected.

Section 3. That the compensation herein provided for the Tax Assessor and Tax Collector of Talladega County for assessing and collecting municipal ad valorem taxes in those municipalities in Talladega County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended, shall be in lieu of the compensation for such purpose authorized by Title 37, Section 732, Code of Alabama 1940, as amended, and shall be the entire compensation which they shall receive for the same.

Section 4. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 5. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

J12 4tc

STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the Sylacauga Advance a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit in the issues hereof dated as follows:

July 12, 1951, July 19, 1951, July 26, 1951, August 2, 1951.

W. A. MOODY.

Subscribed and sworn to before me this 6 day of August, 1951.

SUE S. SUMMERLIN,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 980, 930, 981, 982 and 983—To the Committee on Local Legislation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Brown:

H. 984. To amend Sections 35 and 36 of an act entitled "An Act To provide for and regulate the assessment, levy and collection of Municipal taxes of the city of Opelika, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said city of Opelika, and to make the Tax Collector of Lee County, Alabama, ex-officio collector of property taxes for the said city of Opelika.", approved September 2, 1935.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LEE

Before me Bernice Elliott, a Notary Public, Lee County Alabama, personally appeared W. H. Wilson, Sr., who being first duly sworn, deposes and says as follows:

I am Co-Publisher of the Opelika Daily News, Inc., that the following legal notice to wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 35 and 36 of an act entitled "An Act To provide for and regulate the assessment, levy and collection of Municipal taxes of the city of Opelika, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said city of Opelika, and to make the Tax Collector of Lee County, Alabama, ex-officio collector of property taxes for the said city of Opelika.", approved September 2, 1935.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 35 of an act entitled "An Act To provide for and regulate the assessment, levy and collection of Municipal taxes of the city of Opelika, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said city of Opelika, and to make the Tax Collector of Lee County, Alabama, ex-officio collector of property taxes for the said city of Opelika.", approved September 2, 1935, be and the same is hereby amended to read as follows:

"Section 35. The Tax Assessor of Lee County shall be entitled to receive out of the first moneys collected for the city of Opelika, an amount equivalent to one percentum of all taxes collected for the city of Opelika each year as full compensation for all duties to be performed by him hereunder."

Section 2. That Section 36 of said Act be and the same is hereby amended to read as follows:

"Section 36. The Tax Collector of Lee County shall be entitled to receive out of the first moneys collected for the City of Opelika a sum equivalent to one percentum of all taxes collected for the City of Opelika each year as his full compensation for all services to be performed by him with reference to City of Opelika taxes."

Section 3. That this Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.  
(Adv. 10-17-24-31)

was published once a week for four successive weeks, July 10-17-24-31st in the Opelika Daily News, Inc., a newspaper published in Lee County, Alabama.

W. H. WILSON,  
Co-Publisher.

Sworn and subscribed to me this 3rd day of August, 1951.

BERNICE ELLIOTT,  
Notary Public.

Also:

By Mr. Brown:

H. 985. To amend Section 36 of an act entitled "An Act To provide for and regulate the assessment, levy and collection of Municipal taxes of the City of Auburn, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said City of Auburn, and to make the Tax Collector of Lee County, Alabama ex-officio collector of property taxes for said City of Auburn.", approved July 17, 1935.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA  
COUNTY OF LEE**

Before me Bernice Elliott, a Notary Public, Lee County Alabama, personally appeared W. H. Wilson, Sr., who being first duly sworn, deposes and says as follows:

I am Co-Publisher of the Opelika Daily News, Inc., that the following legal notice to wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend Section 36 of an act entitled "An Act To provide for and regulate the assessment, levy and collection of Municipal taxes of the City of Auburn, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said City of Auburn, and to make the Tax Collector of Lee County, Alabama ex-officio collector of property taxes for said City of Auburn." approved July 17, 1935.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 36 of an act entitled "An Act To provide for and regulate the assessment, levy and collection of Municipal taxes of the City of Auburn, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said City of Auburn, and make the Tax Collector of Lee County, Alabama ex-officio collector of property taxes for said

City of Auburn.", approved July 17, 1935, be and the same is hereby amended to read as follows:

"Section 36. The Tax Collector of Lee County shall be entitled to receive out of the first moneys collected for the City of Auburn a sum equivalent to one percentum of all taxes collected for the City of Auburn each year as his full compensation for all services to be performed by him with reference to City of Auburn taxes."

Section 2. That this Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

(Adv. 10-17-24-31)

was published once a week for four successive weeks, July 10-17-24-31st, in the Opelika Daily News, Inc., a newspaper published in Lee County, Alabama.

W. H. WILSON,  
Co-Publisher.

Sworn and subscribed to me this 3 day of August, 1951.

BERNICE ELLIOTT,  
Notary Public.

Also:

By Messrs. Fite (Walker) and Black:

H. 988. To Propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Walker County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Walker County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Also:

By Messrs. Miller and Hawkins (Etowah):

H. 989. Relating to cities having a population of as many as 35,000 and less than 75,000 inhabitants; amending further the Act approved July 9, 1943, which created and established a retirement system for policemen and firemen of such cities (Act No. 379, H. 786, General Acts, 1943, p. 349).

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 989, 985 and 984—To the Committee on Local Legislation.

H. B. 988—To the Committee on Constitution and Constitutional Revision and Amendments.

(The above bill was read at length as required by the Constitution.)

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Adams (Dale):

H. 993. Relating to the municipality of Ozark in Dale County; to alter, rearrange and extend the boundaries of the City of Ozark.

With notice and proof thereto attached and herewith exhibited as follows:

## NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced for passage at the present session of the Legislature of Alabama a local bill providing in substance as follows:

A BILL  
TO BE ENTITLED

Relating to the municipality of Ozark in Dale County; to altar, rearrange and extend the boundaries of the City of Ozarki

Be It Enacted My the Legislature of Alabama:

Section 1: The boundaries of the municipality of Ozark in Dale County are hereby altered, rearranged and extended to include within the corporate limits of the City of Ozark the following described territory, in addition to that already within the corporate limits, to-wit:

North of the already existing corporate limits along both sides of U. S. Highway 231 embracing the following governmental subdivisions, viz:  $W\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $SE\frac{1}{4}$  of Section 16;  $W\frac{1}{2}$  of  $NE\frac{1}{4}$  and  $W\frac{1}{2}$  of  $SE\frac{1}{4}$ , Sec. 21, not already within the corporate limits, all in Township 6 North, Range 24 East;

Southwest of the already existing corporate limits along both sides of State Highway 85 embracing the following governmental subdivisions, viz; All of  $N\frac{1}{2}$  of  $W\frac{1}{2}$  of  $NW\frac{1}{4}$  of  $SW\frac{1}{4}$ , Section 33 not already within the corporate limits;  $E\frac{1}{2}$  of  $NE\frac{1}{4}$  of  $SE\frac{1}{4}$ ;  $S\frac{1}{2}$  of  $W\frac{1}{2}$  of  $NE\frac{1}{4}$  of  $SE\frac{1}{4}$ ,  $S\frac{1}{2}$  of  $E\frac{1}{2}$  of  $NW\frac{1}{4}$  of  $SE\frac{1}{4}$ ,  $SW\frac{1}{4}$  of  $SE\frac{1}{4}$ , and  $S\frac{1}{2}$  of  $E\frac{1}{2}$  of  $SE\frac{1}{4}$  of  $SW\frac{1}{4}$ , all in Section 32, Township 6 North Range 24 East; also East 30 acres of  $NE\frac{1}{4}$  of  $NW\frac{1}{4}$ ,  $N\frac{1}{2}$  of  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$ , and  $W\frac{1}{2}$  of  $NW\frac{1}{4}$  of  $NE\frac{1}{4}$ , all in Section 5, Township 5 North, Range 24 East.

Southeast of the already existing corporate limits along both sides of U. S. Highway 231 embracing the following governmental subdivisions, viz:

$E\frac{1}{2}$  of  $SE\frac{1}{4}$  not already included 'n City, Sec. 27 Tp. 6, R. 24.

$W\frac{1}{2}$  of  $SW\frac{1}{4}$ ,  $NE\frac{1}{4}$  of  $SW\frac{1}{4}$ ,  $S\frac{1}{2}$  of  $NW\frac{1}{4}$  Sec. 26 Tp. 6, R. 24.

All of  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$  not alreahy within the corporate limits,  $NE\frac{1}{4}$  of  $SW\frac{1}{4}$ , anh  $NW\frac{1}{4}$  of  $SE\frac{1}{4}$ , all in Sec. 3, Township 5 North, Range 24 East;

Also,  $SE\frac{1}{4}$  of  $SW\frac{1}{4}$ ,  $SW\frac{1}{4}$  of  $SE\frac{1}{4}$ , and  $W\frac{1}{2}$  of  $NE\frac{1}{4}$ , all in Sec. 3, Township 5 North, Range 24 East; and  $SW\frac{1}{4}$  of  $SE\frac{1}{4}$ , Section 34, Township 6 North, Range 24 East;

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jesse B. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Southern Star, a newspaper of general circulation published in Ozark, Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1951.

JESSE B. ADAMS.

Sworn to and subscribed before me 7th August, 1951.

LOIS P. MARTIN,  
Notary Public, State at Large.

Also:

By Messrs. Bassett and Belcher:

H. 844. To amend Section 1 of Act No. 634, H. 1057, approved July 10, 1940, entitled "An Act to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict herewith."

With notice and proof thereto attached and herewith exhibited as follows:

## NOTICE

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage and enactment of a bill substantially as follows, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 1 of Act No. 634, H. 1057, approved July 10, 1940, entitled, "An Act, to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict herewith."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of Act No. 634, H. 1057, approved July 10, 1940, entitled, "An Act to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict herewith.", be and the same is hereby amended to read as follows:

"Section 1. The Court of County Commissioners of Pike County, is hereby authorized in its discretion to provide an additional deputy sheriff for Pike County in addition to the deputies now provided by law who shall be appointed by the sheriff of said County and who shall hold said office at the pleasure of said sheriff, and shall receive a salary of Eight-



teen Hundred Dollars (\$1800) per annum, to be paid in twelve equal monthly installments out of the general fund of said County."

Section 2. That all laws or parts of laws, general, special, or local in conflict herewith are, to the extent of such conflict, repealed.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

6-28-1taw4tc

**STATE OF ALABAMA  
PIKE COUNTY**

Before me, Martha Jordan, a Notary Public in and for said County and State, personally appeared Glenn Jones who is known to me and who being by me first duly sworn on oath says that he is Publisher of The Troy Messenger, a newspaper of general circulation, published in the City of Troy, Pike County, Alabama and that the notice, a true copy of which appears hereinabove, was published once a week for four consecutive weeks in said newspaper and appeared in the issues of said newspaper on the following dates: June 28, 1951, July 5, 1951, July 12, 1951 and July 19, 1951.

/S/ GLENN JONES,  
Publisher, The Troy Messenger.

Sworn to and subscribed before me this 20th day of July, 1951.

/S/ MARTHA JORDAN,  
Notary Public.

Also:

By Messrs. Meeks, Davis, Beatty, Huey, Morgan (Jefferson) and Adams (Jefferson):

H. 990. To alter, rearrange and extend the boundaries of the City of Leeds.

With notice and proof thereto attached and herewith exhibited as follows:

**A BILL  
TO BE ENTITLED  
AN ACT**

To alter and entend the corporate limits of the City of Leeds in Jefferson County, Alabama and to repeal all laws, parts of laws in conflict therewith

SECTION 1: That the corporate limits of the City of Leeds, Jefferson County, Alabama be amended so as to read as follows: A three mile square area measured from the Southern Railway Depot, situated on Southern Railway right-of-way, North side of track, and between 24th and 25th Streets. This square area of nine square miles measured 1½ miles each, north, south, east, and west, from said Southern Depot to the middle of each lateral boundary of said corporate area.

SECTION 2: That all other acts and laws in conflict with this act are hereby repealed.

SECTION 3: That this act shall go into full force and effect immediately after its passage and approval, the public welfare demanding it.

In July 13-20-27, Aug. 3

**STATE OF ALABAMA  
ST. CLAIR COUNTY**

On this 8 day of August 1951, personally appeared before me Anna

C. Judge, Notary Public, in and for the County and State aforesaid, Helen Mabry, who being duly sworn according to Law, declares that she is Associate Editor of "The Leeds News," a newspaper published in the City of Leeds, in the County of Leeds, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Leeds News" on the following dates: July 13-20-27 and Aug. 3.

Signed HELEN MABRY.

Subscribed and sworn to before me, this 8th day of August, A. D., 1951.

ANNA C. JUDGE,  
Notary Public.

STATE OF ALABAMA  
JEFFERSON COUNTY

I, Helen Mabry, hereby certify that I am the Associate Editor of the Leeds News, a weekly newspaper published in the City of Leeds, Alabama, and that said newspaper is circulated in Jefferson, Shelby and St. Clair Counties in the State of Alabama.

HELEN MABRY.

Sworn and subscribed to before me, a notary public, in and for said Jefferson County, Alabama, this 8th day of August, 1951.

ANNA C. JUDGE,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 993, 844 and 990—To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Leonard and Payne:

H. 992. To alter, rearrange and extend the boundaries of the City of Sylacauga in Talladega County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

To Whom It May Concern:

Notice is hereby given that a bill will be introduced for passage at the 1951 session of the Legislature of Alabama, the substance of which said Bill is as follows:

SECTION I. That the Corporate Limits of the City of Sylacauga, Talladega County, Alabama, be changed and extended to include the following territory:

The Northeast one-quarter of the Northwest one-quarter of Section 6, Township 21 South, Range 4 East.

SECTION II. This Act shall take effect immediately upon its passage and approval of the Governor.

Approved

ED J. HOWARD,  
Mayor.

Attest

C. J. JOHNSON, JR.  
City Clerk

J12 4tc

STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public, in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the Sylacauga Advance a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows:

July 12 1951, July 19 1951, July 26 1951, August 2 1951.

W. A. MOODY.

Subscribed and sworn to before me this 6th day of August 1951.

HENRY TURNEY,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 992—To the Committee on Local Legislation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 512. To Amend Section 187 of Title 13, Code of Alabama of 1940 as amended.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 532. To amend Section 1 of Act No. 634, H. 1057, approved July 10, 1940, entitled, "An Act, to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy

and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict herewith.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### RECESS

At 12:10 P. M., on motion of Mr. Clayton, the Senate took a recess until 2 o'clock this afternoon.

### AFTERNOON SESSION

### TWENTY-NINTH LEGISLATIVE DAY

TUESDAY, AUGUST 14, 1951

The Senate reassembled at 2 o'clock P. M., Lieutenant-Governor Allen presiding.

### ROLL CALL

Present:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whitley
Fant	Jones	Reneau	Wright

—35

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 737. To change the name and designation of the office of License Inspector in and for Jefferson County, Alabama, to the Department of Revenue of Jefferson County, and to change the designation of the License Inspector to Director of Revenue; to provide for the appointment, tenure, powers, and duties of the Director of Revenue; and to change the name and designation of the office of Chief Deputy License Inspector in and for Jefferson County, Alabama, to Deputy Director of Revenue, and to provide that the said Deputy Director of Revenue shall perform the duties and exercise the powers conferred upon the Chief Deputy License Inspector by Act No. 536 of the Acts of Alabama of 1947 (Local Acts of Alabama of 1947, page 359), approved October 2, 1947, as amended; and to grant power to said Department to require information to be furnished, and to require the production of books, records, and papers for inspection.

Also:

H. 827. Relating to Escambia County; providing that the governing body of the county shall fix, and provide for the payment of the compensation of the county jailers.

Also:

H. 897. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, so as to include in the territory of said municipality, in addition to the territory now embraced therein, the following described lands, to-wit:

Beginning at a point on the west line of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 32, Township 5 South of Range 4 West 1096 feet north of the southwest corner of said SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , thence running north to the northwest corner of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , thence running east to the northeast corner of the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 33, Township 5 South of Range 4 West, thence running south to the southeast corner of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 33, thence running west to the southeast corner of the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 33, thence north to the southeast corner of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 33, thence west to the southwest corner of the NW $\frac{1}{4}$  of said Section 33, thence running north along the west line of the NW $\frac{1}{4}$  of said Section 33 to the southeast corner of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 32, thence running west 190 feet, thence running north 67 feet, thence running west to the center line of the Somerville Road, thence running in a northerly direction along the center line of the Somerville Road to a point where said center line intersects a line running east from the point of beginning, thence running west to the point of beginning.

Also:

H. 898. Relating to Morgan County; fixing the salary of the coroner of said county at sixty dollars per month, to be paid out of the general fund of the county.

Also:

H. 899. To amend Sections 1 and 3 of an Act to fix the compensation or salary to be paid the Tax Collector of Morgan County, Alabama, being Act No. 464 of the regular session of the Legislature of Alabama of 1939, approved September 15, 1939, as amended by Act No. 71 of the Legislature of Alabama, approved May 28, 1943.

Also:

H. 900. To amend Section 1 and Section 3 of Act No. 361 of the Legislature of Alabama, which act became a law on September 14, 1939, and which act fixed the compensation or salary to be paid to the Tax Assessor of Morgan County, Alabama, as amended by Act No. 73 of the Legislature of Alabama, approved May 28, 1943.

Also:

H. 738. To provide for the combination of the office of License Inspector or Department of Revenue of Jefferson County, Alabama, and the office of Commissioner of Licenses of said County, whenever the offices of License Inspector or Department of Revenue or Commissioner of Licenses of said County shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law, and to provide for the salary of such Director, and to provide for the employees of such Department of Revenue.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote

of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 901. To fix the compensation of the Solicitor of the Morgan County Court in and for Morgan County, Alabama, and to provide the period during which this Act shall be effective.

Also:

H. 902. To amend Sections 1 and 4 of an act approved May 28, 1943 providing for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the Legislature of 1943.

Also:

H. 914. To amend Sections 10, 14, and 16 of an act approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." as amended.

Also:

H. 922. To Extend, Alter and Re-arrange the Boundary Lines and Corporate Limits of the Town of Notasulga, in Macon and Lee Counties, Alabama.

Also:

H. 923. To authorize the governing body of any municipality in the State of Alabama having a population of as many as 78,000 people and not more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

Also:

H. 924. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 78,000 people nor more than 120,000 people, according to the 1950 or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions thereof.

Also:

H. 933. Relating to St. Clair County: To impose extra, new, and ad-

ditional duties upon the Tax Assessor and Tax Collector and providing additional compensation for the performance thereof.

Also:

H. 934. Relating to St. Clair County: To require the clerk in the branch office of the Judge of Probate to serve as clerk of the county governing body at the branch courthouse and prescribing his compensation.

Also:

H. 936. To provide a civil service system governing the appointment, removal, promotion, demotion, tenure and official conduct of the employees of the City of Sylacauga, including the chiefs and superintendents of all departments, and excluding the common laborers; providing for the examination and appointment and promotion of members of the departments on a competitive merit basis; providing for the establishment of a Civil Service Board of Sylacauga composed of three members; providing for the appointment of the members of the Board by the Governor, prescribing their qualifications and fixing their compensation; prescribing the powers and duties of the Board and authorizing it to make rules and regulations for the administration of the Act; providing for hearings before the Board in cases of demotions or dismissals; prohibiting political activities by covered employees of the City of Sylacauga and prohibiting rewards to covered employees thereof for political support; requiring members of the police department to make bond; and prescribing penalties for violations of the Act.

Also:

H. 937. To fix the compensation of the members and the Chairman of the Board of Revenue and Control of Morgan County, Alabama, and to provide the period during which this act shall be effective.

Also:

H. 938. To fix the salary of the County Superintendent of Education of Morgan County, Alabama, at the sum of FORTY-EIGHT HUNDRED DOLLARS (\$4800.00), beginning upon the approval of this Act.

Also:

H. 955. To fix the salary of the Probate Judge of all counties in the State having a population of not less than 63,750 nor more than 72,500 according to the preliminary count of the 1950 Federal Census or any subsequent decennial census of the United States.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following Senate Bills and Senate Joint Resolutions with the Engrossed and Original Bills and Resolutions, respectively, and finds same correctly, enrolled, to-wit:

S. 505. To authorize all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants, according

to the latest federal decennial census, or which shall hereafter have such population according to any such census that may hereafter be taken, to make appropriations and expend out of their revenues an amount not in excess of two hundred dollars (\$200) per year to aid in the care of, or care for, infirmed sick persons within the corporate limits and police jurisdiction of such cities who are unable to provide and care for themselves.

Also:

S. 512. To Amend Section 187 of Title 13, Code of Alabama of 1940 as amended.

Also:

S. 532. To amend Section 1 of Act No. 634, H. 1057, approved July 10, 1940, entitled, "An Act to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict herewith."

Also:

By Mr. Robison:

S. J. R. 64. Relative to: Naming S. B. 504, S. B. 505, S. B. 506, S. B. 507, S. B. 508, S. B. 509, and S. B. 511.

Also:

By Mr. Hollis:

S. J. R. 66. Relative to: The Legislature extending sincere sympathy to the family of the late Representative Truman A. Simpson.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Faulkner, Foster, Whatley, Jones, Richardson, Phillips, Smith and Norrell:

S. B. 635. To make a conditional appropriation to the Department of Conservation, Division of State Parks, Monuments and Historical Sites.

Committee on Finance and Taxation.

By Mr. Fant:

S. B. 636. Relating to counties having populations of not less than 28,900 nor more than 29,200 inhabitants; authorizing and directing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

Committee on Local Legislation.

By Mr. McCary:

S. B. 637. To create and establish hospital commissions in counties having a population of not less than seventy-three thousand one hundred



nor more than ninety-three thousand five hundred inhabitants; prescribing the duties, powers, and authority of such commissions.

Committee on Local Legislation.

By Mr. Todd:

S. B. 638. To propose and provide for the submission of or amendment to the Constitution of Alabama; to validate certain local acts relative to Marion County, Alabama.

Committee on Constitution and  
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Boutwell:

S. B. 639. Relating to taxation; exempting real and personal property of Chambers of Commerce from all state, county and municipal taxes, licenses, fees and charges when such property is used in and about conducting, operating and carrying out the program, work, objectives, and policies of such organizations.

Committee on Finance and Taxation.

By Mr. Faulkner:

S. B. 640. To exempt the gross proceeds of the sale of machines used in logging operations, pulpwood operations and milling of tangible personal property from computation of the amount of the sales tax levied, assessed or payable under the laws of Alabama.

Committee on Finance and Taxation.

### REPORTS OF COMMITTEES

Mr. Whatley, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Wallace:

H. 733. To authorize each of the municipalities in this state to acquire properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural or manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize municipalities to lease such properties subject to certain specified requirements; to authorize municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Mr. Johnson (Chambers), Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McNider, Denton, Malone (Houston), Black, Wilson, Tumlin, Thomas, Adams (Tallapoosa), White (Covington), Harrison (Wilcox), Brown, Coburn, Oakley, Huey, Brannan, Givhan, Dodd, White (Cullman), Hardy, Beatty, Molette, Adams (Dale), Faulk, Solomon, Wallace, Martin, Harrison (Shelby), Sellers, Reynolds (Chambers), Gal-lalee, Payne, Wilkins, Pflieger, Smith, Meeks, Garrett, Dawkins, Morgan (Tuscaloosa), Adams (Jefferson), Mathews, Edgar, Scruggs, Ward, Leonard and Springer:

H. 686. To declare, designate, and name certain parts of the State Highways as Paradise Drive.

Mr. Foster, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Oden:

H. 665. To amend Sections 2 and 3 of Act No. 122 of the General Acts of the Alabama Legislature of 1951 entitled "To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Franklin County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Franklin County and the location of new industries or businesses therein, to become a stockholder in any corporation, association, or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities".

The above Bill was read a second time at length as required by the Constitution.

By Mr. Coburn:

H. 668. To repeal Act No. 27, adopted at the Fifth Special Session of the Legislature of Alabama held during the year 1950, which proposed and provided for the submission of an amendment to the Constitution of Alabama relating to Colbert County for the purpose of validating Act No. 485 adopted at the Regular Session of the Legislature of Alabama of 1949.

The above Bill was read a second time at length as required by the Constitution.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 418. To separate the Division of Game, Fish and Seafoods of the Department of Conservation into two distinct divisions. To create within the Department of Conservation a division to be known as the Division of Seafoods. To provide for its personnel, powers, functions and duties. To provide further for the proper operation of said division. To rename the Division of Game, Fish and Seafoods. To authorize the transfer of

certain functions and duties from the Division of Game, Fish and Seafoods to the Division of Seafoods. To rename the Game, Fish and Seafoods Fund. To create a Seafoods Fund. To provide what monies shall constitute such fund. To repeal Sections 111, 125, 126 and 127, Title 8 of the 1940 Code of Alabama. To repeal all laws or parts of laws in conflict with this Act and for other purposes.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 497. To authorize the Governor, the Director of the Department of Industrial Relations, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State upon which it shall, at a cost not to exceed three million, two hundred fifty thousand dollars, construct, operate, and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to any Department, Board, Bureau, Commission, or Agency of the State; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by Departments, Boards, Bureaus, Commissions, and agencies of the State of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities; and to repeal Act No. 146, approved June 23, 1945, General Acts of 1945, page 182, Act No. 147, approved June 23, 1945, General Acts of 1945, page 188 and as amended by Act No. 647, approved October 9, 1947, General Acts of 1947, page 500, Act No. 557, approved September 8, 1949, General Acts of 1949, page 868, and Act No. 558, approved September 8, 1949, General Acts of 1949, page 869, and all other laws or parts of laws in conflict herewith.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Dumas:

H. 317. TO prescribe procedures for State of Alabama administrative agencies to follow in the exercise of rule, order, and decision-making au-

thority, to provide for the judicial review of such administrative actions, and to repeal all laws and parts of laws in conflict herewith.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 317—To the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the following House bill:

H. 581. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing and directing the governing body of any such county to provide for the employment of a deputy clerk in the office of the Clerk of the Circuit Court.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House: Messrs. Wood, McNider and Mathews.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Locke (Choctaw), the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 581, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer appointed as Conferees on part of the Senate Messrs. Locke (Choctaw), Locke (Perry) and Faulkner.

#### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 91. Relative to joint legislative committee working with the State Bar to survey and analyze the judicial system of the State of Alabama.

And said Resolution was then adopted.

#### RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 68. BE IT RESOLVED BY THE SENATE, That when bills on third readings are reached on the Twenty-ninth Legislative Day, that the following bills in order listed shall be special, paramount and continuing order of business immediately following the consideration of the bills on the Special Order Calendar:

S. B. 493	Page 51
S. B. 555	Page 53
S. B. 530	Page 56
S. B. 580	Page 57
S. B. 601	Page 56
S. B. 349	Page 10
S. B. 603	Page 48
S. B. 600	Page 48
S. B. 518	Page 26
S. B. 435	Page 48
S. B. 431	Page 28
S. B. 576	Page 73
S. B. 590	Page 53
S. B. 589	Page 54
S. B. 234	Page 15
S. B. 415	Page 11
S. B. 480	Page 78
S. B. 479	Page 79

And said Resolution was adopted by the Senate.

#### BILLS ON THIRD READING

##### The Bill:

S. 165. For the relief of Cyril L. Smith: making an appropriation of one hundred eighty-four (\$184.00) Dollars to Cyril L. Smith as compensation for medical expenses incurred while in the service of the Alabama Alcoholic Beverage Control Board.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 29; Nays 0.

##### Yeas:

Messrs.:	Farmer	Jones	Reneau
Andrews	Faulkner	Larkins	Richardson
Benson	Foster	Locke (Choctaw)	Robison
Bonner	Golson	Locke (Perry)	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Eddins	Johnson (Chambers)	Quarles	Wright
Fant	Johnston (Mobile)		
			—29

##### Nays:

—0

##### The Bill:

S. 78. For the relief of Claude M. Finley.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 30; Nays 0.

##### Yeas:

Messrs.:	Bonner	Eddins	Faulkner
Andrews	Boutwell	Fant	Foster
Benson	Byars	Farmer	Golson

High	Larkins	Pinson	Sollie	
Hollis	Locke (Choctaw)	Reneau	Thagard	
Johnson (Chambers)	Locke (Perry)	Richardson	Todd	
Johnston (Mobile)	McCary	Robison	Wright	
Jones	Phillips	Smith		—30

Nays: —0

The Bill:

S. 396. To amend Section 352 of Title 52 of the 1940 Code of Alabama which relates to continuing service status of teachers.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 30; Nays 0.

Yeas:

Messrs.:	Faulkner	Larkins	Richardson	
Andrews	Foster	Locke (Choctaw)	Robison	
Benson	Golson	Locke (Perry)	Skidmore	
Bonner	High	McCary	Smith	
Boutwell	Hollis	Norrell	Sollie	
Byars	Johnson (Chambers)	Pinson	Thagard	
Eddins	Johnston (Mobile)	Quarles	Todd	
Fant	Jones	Reneau		—30

Nays: —0

The Bill:

S. 315. To authorize the State of Alabama to appropriate and pay to S. H. Park of Brewton, Alabama the sum of \$623.62 to reimburse the said S. H. Park for hospital and doctors' bills and medicine bills and ambulance service and nurses' services on account of injuries sustained in falling off a bridge being reconstructed on State Highway 20 at the Cahaba River on October 23, 1950, while in line of his duty as an employee of the State Highway Department.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 28; Nays 0.

Yeas:

Messrs.:	Faulkner	Larkins	Reneau	
Andrews	Foster	Locke (Choctaw)	Richardson	
Benson	Golson	Locke (Perry)	Robison	
Bonner	High	McCary	Skidmore	
Boutwell	Hollis	Norrell	Smith	
Byars	Johnson (Mobile)	Pinson	Sollie	
Eddins	Jones	Quarles	Thagard	
Fant				—28

Nays: —0

The Bill:

S. 332. To define a "Motor Bus" and to provide a maximum permissible length for any motor bus driven or operated upon the highways of Alabama and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 27; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Foster	Locke (Choctaw)	Robison
Benson	High	Locke (Perry)	Skidmore
Boutwell	Hollis	McCary	Smith
Byars	Johnson (Chambers)	Pinson	Sollie
Eddins	Johnston (Mobile)	Quarles	Thagard
Fant	Jones	Reneau	Wright

—27

Nays:

—0

The Bill:

S. 533. To provide for the creation of a Commission on Uniform State Laws, the appointment of Commissioners thereto, and making an appropriation for the same.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 23; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Richardson
Andrews	Foster	Locke (Perry)	Robison
Benson	High	McCary	Skidmore
Byars	Hollis	Pinson	Smith
Eddins	Johnston (Mobile)	Quarles	Sollie
Fant	Larkins	Reneau	Thagard

—23

Nays:

—0

The Bill:

S. 284. To fix the compensation of court reporters, and providing for the payment thereof.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

#### SUBSTITUTE FOR S. B. 284

#### A BILL TO BE ENTITLED AN ACT

To fix the compensation of court reporters, and providing for the payment thereof.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The official court reporters appointed and holding office under the provisions of law shall receive a salary of forty-eight hundred dollars per annum, twenty-two hundred dollars of which shall be payable in monthly installments by the counties composing the circuits, each county to pay its pro rata part thereof, upon the basis of the assessed tax valuation of all property in such county for the preceding year, such payments to be made on certificate issued by the judge of the court in favor of such official reporter for the respective amounts due by the sev-

eral counties each month, the same to be paid by the treasurer of each county out of the general fund on presentation in the same manner as jurors' certificates are now paid, and the remaining twenty-six hundred dollars per annum shall be paid in equal monthly installments on the warrant of the State Comptroller from the General Fund in the State Treasury.

**SECTION 2.** All special, local, or general laws in conflict with this section, including all laws providing allowances or expenses for any court reporter, are hereby expressly repealed. Should any law be held to remain in effect under which a court reporter is provided extra allowances of compensation for traveling expenses, then the amount allowed by such law shall be deducted from the amount hereinabove provided to be paid by the counties embraced in such judicial circuit.

**Section 3.** This Act to become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

Which was adopted.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Farmer	Larkins	Reneau
Andrews	Faulkner	Locke (Choctaw)	Richardson
Benson	Foster	Locke (Perry)	Robison
Boutwell	High	McCary	Skidmore
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Pinson	Thagard
Eddins	Johnston (Mobile)	Quarles	Wright
Fant	Jones		

—29

Nay: Mr. Bonner —1

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment;

Yeas 27; Nay 1.

Yeas:

Messrs.:	Farmer	Jones	Reneau
Andrews	Faulkner	Larkins	Richardson
Benson	Foster	McCary	Robison
Boutwell	High	Norrell	Skidmore
Byars	Hollis	Phillips	Sollie
Eddins	Johnson (Chambers)	Pinson	Whately
Fant	Johnston (Mobile)	Quarles	Wright

—27

Nay: Mr. Bonner —1

The Bill:

H. 177. For the relief of Robert F. Free and to appropriate for the said Robert F. Free the sum of \$2500.00 to compensate him for severe and permanent injuries and the loss of use of a leg and expenses incident thereto, sustained by him while in the employ of the State Highway Department.

Was read a third time at length and passed.

Yeas 29; Nays 0.



*Yeas:*

Messrs.:	Farmer	Locke ( <i>Perry</i> )	Robison
Andrews	Faulkner	McCary	Skidmore
Benson	Foster	Phillips	Sollie
Bonner	Hollis	Pinson	Thagard
Boutwell	Johnson ( <i>Chambers</i> )	Quarles	Todd
Byars	Johnston ( <i>Mobile</i> )	Reneau	Whatley
Eddins	Jones	Richardson	Wright
Fant	Larkins		

—29

*Nays:* —0

The Bill:

S. 231. To amend Title 55, Section 249, of the Code of Alabama 1940, as amended, which relates to the salary of the State Geologist.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 28; Nays 0.

*Yeas:*

Messrs.:	Farmer	Locke ( <i>Choctaw</i> )	Robison
Benson	Faulkner	Locke ( <i>Perry</i> )	Skidmore
Bonner	High	Norrell	Sollie
Boutwell	Hollis	Phillips	Thagard
Byars	Johnson ( <i>Chambers</i> )	Pinson	Todd
Clayton	Johnston ( <i>Mobile</i> )	Quarles	Whatley
Eddins	Jones	Reneau	Wright
Fant			

—28

*Nays:* —0

The Bill:

S. 437. Relating to the Milk Control Board; amending Section 207 of Title 22, Code of Alabama (1940).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 23; Nays 3.

*Yeas:*

Messrs.:	Eddins	Larkins	Robison
Andrews	Fant	Locke ( <i>Choctaw</i> )	Skidmore
Benson	Farmer	Locke ( <i>Perry</i> )	Sollie
Boutwell	Golson	Pinson	Thagard
Byars	High	Quarles	Whatley
Clayton	Hollis	Richardson	Wright

—23

*Nays:*

Messrs.: Bonner, Johnson (*Chambers*), and Johnston (*Mobile*) —3

The Bill:

S. 141. To amend Section 29 of Title 13 of the Code of 1940 as amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 23; Nays 5.

*Yeas:*

Messrs.:	Fant	Jones	Pinson	
Benson	Farmer	Larkins	Richardson	
Boutwell	Foster	Locke (Choctaw)	Robison	
Byars	High	Locke (Perry)	Skidmore	
Clayton	Hollis	Norrell	Smith	
Eddins	Johnston (Mobile)	Phillips	Whatley	—23

*Nays:*

Messrs.:	Golson	Reneau	Sollie	
Bonner	Quarles			—5

The Bill:

S. 143. To amend Section 103 of Title 13, of the Code of 1940 as amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 6.

*Yeas:*

Messrs.:	Foster	Larkins	Robison	
Benson	High	Norrell	Skidmore	
Boutwell	Hollis	Phillips	Smith	
Eddins	Johnson (Chambers)	Pinson	Thagard	
Fant	Johnston (Mobile)	Richardson	Whatley	
Farmer	Jones			—21

*Nays:*

Messrs.:	Golson	Quarles	Sollie	
Bonner	Locke (Perry)	Reneau		—6

The Bill:

S. 138. To amend Section 57 of Title 13 of the Code of 1940 as amended.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

#### SENATE FINANCE AND TAXATION COMMITTEE AMENDMENT TO SENATE BILL NO. 138:

Amend Senate Bill No. 138, Section 1, by striking therefrom the words and figures, Seven Thousand Five Hundred Dollars (\$7,500.00) wherever the same appear in said bill and inserting in lieu thereof the words and figures, Six Thousand Dollars (\$6,000.00).

Which was adopted.

Yeas 26; Nay 1.

*Yeas:*

Messrs.:	Bonner	Eddins	Faulkner
Andrews	Boutwell	Fant	Foster
Benson	Clayton	Farmer	High

Hollis	Larkins	Reneau	Sollie	
Johnson (Chambers)	Phillips	Richardson	Thagard	
Johnston (Mobile)	Pinson	Robison	Whatley	
Jones	Quarles	Skidmore		—26

Nay: Mr. Golson —1

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 6.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Pinson	
Andrews	Faulkner	Jones	Richardson	
Benson	Foster	Larkins	Robison	
Boutwell	High	Locke (Choctaw)	Skidmore	
Clayton	Hollis	Norrell	Thagard	
Eddins	Johnson (Chambers)	Phillips	Whatley	—23

Nays:

Messrs.:	Golson	Quarles	Sollie	
Bonner	Locke (Perry)	Reneau		—6

The Bill:

S. 137. To amend Section 62 of Title 13 of the Code of 1940 as amended.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 17; Nays 11.

Yeas:

Messrs.:	Farmer	McCary	Skidmore	
Andrews	Faulkner	Pinson	Thagard	
Boutwell	High	Richardson	Whatley	
Byars	Hollis	Robison	Wright	
Eddins	Jones			—17

Nays:

Messrs.:	Foster	Johnston (Mobile)	Quarles	
Benson	Golson	Locke (Perry)	Reneau	
Bonner	Johnson (Chambers)	Norrell	Sollie	—11

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 796. To amend Section 151 of Title 52 of the 1940 Code of Alabama.

Also:

H. 940. To create a fund which shall be known as "Solicitor's Fund, Bessemer Division", to provide for the appropriation of monies to said fund from the Solicitor's Fund of Jefferson County, Alabama; to authorize the expenditure of said fund by the Deputy Circuit Solicitor elected

by the people in and for the Bessemer Division of Jefferson County and to provide for the purposes for which said fund may be so expended.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### RESOLUTIONS

Mr. Johnston (Mobile) offered the following Senate Joint Resolution, to-wit:

S. J. R. 69. Be it Resolved by the Senate, the House concurring, that S. B. 497 which has passed both Houses be known as the Johnston (Mobile), Kendall, Merrill, Adams (Tallapoosa) and White (Covington) Bill.

On motion of Mr. Johnston (Mobile), the Rules were suspended and the Resolution adopted by the Senate.

Mr. Johnston (Mobile) then offered the following Senate Joint Resolution, to-wit:

S. J. R. 70. Be it Resolved by the Senate, the House concurring, that S. B. 418 which has passed both Houses be known as the Johnston (Mobile), Pfleger, Wilkins, Gallalee and Brannan Bill.

On motion of Mr. Johnston (Mobile), the Rules were suspended and the Resolution adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

#### HOUSE JOINT RESOLUTION NO. 101

By Messrs. Martin and Huey:

WHEREAS The Crippled Children's Clinic has recently opened in Birmingham a one hundred bed orthopedic hospital at a cost of approximately two million dollars for the care and treatment of the crippled children of Alabama.

AND WHEREAS since established in 1929, the Crippled Children's Clinic with meager facilities has contributed immeasurably in the care, treatment, and rehabilitation of 11,521 patients representing practically every county in the State.

WHEREAS the Founders, three of whom still serve, Robert S. Smith, President, R. McL. Strong, and Dr. J. G. Vance, and the subsequent members of the Board of Trustees have in their guided wisdom provided facilities and services for the correction of twisted bodies and crooked limbs of innocent children regardless of race, creed or color.

AND WHEREAS the Citizens of Alabama from all walks of life, the press in general and Birmingham News Sports Editor, Zipp Newman, in particular, the football players of those teams known as the "Big Five" in the city of Birmingham namely, Ensley High School, Phillips High

School, Ramsey Tech, West End High School, and Woodlawn High School, the radio including famous sports announcers and singers and, especially the sports loving public in Alabama have all given universal support to the annual Thanksgiving appeal to the extent that the New Crippled Children's Clinic and Hospital, fully equipped and free of debt, stands ready for dedication as an autonomous hospital unit in the great Alabama Medical Center.

NOW THEREFORE BE IT RESOLVED by the House of Representatives, the Senate concurring, of the State of Alabama that the Crippled Children's Clinic, a state-wide independent charity, be commended for the conception, birth and rearing of a vast humanitarian service for the needy handicapped boys and girls of Alabama.

BE IT FURTHER RESOLVED that the Crippled Children's Clinic and Hospital be congratulated upon the sound erection and financing of the finest orthopedic children's facility in the world where helpless crippled sons and daughters of Alabama will daily be transformed into happy, normal and useful citizens of our Commonwealth and Nation.

AND BE IT FURTHER RESOLVED that the Board of Trustees, the doctors under the able leadership of Surgical Director Dr. John D. Sherrill, the nurses, and entire Clinic staff be commended for their exemplary zeal and devotion which has won public approbation and support for the cause of the crippled child in Alabama.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Phillips, the Rules were suspended and the Resolution, H. J. R. 101, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

To the Speaker of the House:

To the President of the Senate:

We, your conference committee appointed on the disagreement of the House and Senate on the Senate Amendment to House Bill No. 581, beg leave to report as follows:

1. That the Senate recede from its amendment.
2. That the Bill be amended by striking from the title the words "and directing" wherever the same appear together therein.
3. Further amend Section 1 of the Bill by striking out the words "and directed" wherever the same appear together therein.

ROBERT LOCKE,  
JUDSON C. LOCKE, SR.,  
J. H. FAULKNER,  
Conferees on part of Senate.

J. EMMETT WOOD,  
D. C. MATHEWS,  
EMORY McNIDER,  
Conferees on part of House.

## CONFERENCE REPORT

On motion of Mr. Locke (Choctaw), the Senate concurred in and adopted the foregoing report of Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 581. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing and directing the governing body of any such county to provide for the employment of a deputy clerk in the office of the Clerk of the Circuit Court.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Locke (Perry)	Sollie	
Boutwell	High	Norrell	Thagard	
Byars	Hollis	Phillips	Todd	
Fant	Jones	Pinson	Whatley	
Farmer	Larkins	Smith	Wright	
Faulkner	Locke (Choctaw)			—21

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Fite (Walker) and Kendall:

H. 908. Relating to exemptions of persons and property from ad valorem taxation; amending Section 2, Title 51, Code of Alabama, 1940, as amended.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 908—To the Committee on Finance and Taxation.

At 4:05 P. M., Mr. Bonner moved that the Senate do now adjourn until Thursday, August 16, 1951 at 10 o'clock A. M., which motion was lost.

Yeas 7; Nays 28.

Yeas:

Messrs.:	Golson	Locke (Perry)	Skidmore	
Bonner	Johnston (Mobile)	McCary	Sollie	—7

Nays:

Messrs.:	Clayton	Foster	Larkins
Andrews	Eddins	High	Locke (Choctaw)
Benson	Fant	Hollis	Norrell
Boutwell	Farmer	Johnson (Chambers)	Phillips
Byars	Faulkner	Jones	Pinson

Quarles  
Reneau  
Richardson

Robison  
Smith

Thagard  
Todd

Whatley  
Wright

—28

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Russell:

H. J. R. 103. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 17, 1951.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 103, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

## REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 103. Relative to adjournment of the two Houses until Friday, August 17, 1951.

And said Resolution was adopted by the Senate.

Yeas 27; Nays 6.

Yeas:

Messrs.:	Farmer	Larkins	Reneau
Andrews	Faulkner	Locke (Choctaw)	Richardson
Boutwell	Golson	McCary	Robison
Byars	High	Norrell	Smith
Clayton	Hollis	Phillips	Todd
Eddins	Johnson (Chambers)	Pinson	Whatley
Fant	Jones	Quarles	Wright

—27

Nays:

Messrs.:	Johnston (Mobile)	Skidmore	Thagard
Bonner	Locke (Perry)	Sollie	

—6

## BILLS ON THIRD READING RESUMED

The Bill:

H. 325. To regulate through licensure the business, occupation, or calling of real estate brokers and real estate salesmen: defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling; providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 4.

*Yeas:*

<b>Messrs.:</b>	<b>High</b>	<b>Phillips</b>	<b>Skidmore</b>
Boutwell	Hollis	Pinson	Smith
Clayton	Johnson (Chambers)	Quarles	Thagard
Eddins	Johnston (Mobile)	Reneau	Todd
Fant	Jones	Richardson	Whitley
Farmer	Locke (Choctaw)	Robison	Wright
Faulkner	Locke (Perry)		

—25

*Nays:*

<b>Messrs.:</b>	<b>Foster</b>	<b>Golson</b>	<b>Larkins</b>
Benson			

—4

The Bill:

S. 308. To amend Section 713 of Title 7 of the Code of Alabama (1940), which relates to the designation of newspapers for and regulations regarding printing and publishing of legal advertisements.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 20; Nays 8.

*Yeas:*

<b>Messrs.:</b>	<b>Johnson (Chambers)</b>	<b>Phillips</b>	<b>Smith</b>
Boutwell	Johnston (Mobile)	Reneau	Sollie
Clayton	Larkins	Richardson	Thagard
Eddins	Locke (Choctaw)	Robison	Whitley
High	Locke (Perry)	Skidmore	Wright
Hollis			

—20

*Nays:*

<b>Messrs.:</b>	<b>Fant</b>	<b>Foster</b>	<b>McCary</b>
Benson	Faulkner	Jones	Norrell
Byars			

—8

The Bill:

H. 939. To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act," as amended by Act No. 440, General Acts of Alabama of 1949, page 647, approved August 23, 1949.



was taken up.

Mr. Boutwell offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 939

A BILL  
TO BE ENTITLED  
AN ACT

To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this Act," as amended by Act No. 440, General Acts of Alabama of 1949, page 647, approved August 23, 1949.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of that certain Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more according to the last or subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act," be and the same hereby is amended to read as follows:

"Section 3. (a) Every distributor or seller of gasoline shall in addition to all other taxes and licenses imposed or levied by law, pay a license tax to the county equal to one cent on each gallon of gasoline by him sold, distributed, delivered, stored or taken out of storage within the county; provided, however, that where the additional license tax hereby required to be paid shall have been paid by a distributor or seller of gasoline, such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on the same identical gasoline; provided, however, that any distributor or seller, in order to be exempt under this provision, shall first comply with the provisions of subsection (b) of this section. Sellers and distributors of gasoline shall pay the tax herein provided for on the basis of their sales, withdrawals,

and distributions. Provided, further, however, that this tax shall not apply to gasoline which is withdrawn from storage within the county for delivery to point or points without the county when the distributor or seller of such gasoline prepares and files with the probate judge of the county a written statement, sworn to and subscribed, showing the name and address of the person to whom said gasoline is or has been delivered by said distributor or seller and the volume and kind of said gasoline, and the dates of such withdrawals, and the point or points without the county to which said gasoline is delivered or to be delivered. (b) Any distributor or seller of gasoline selling, distributing, delivering, storing or taking out of storage gasoline purchased from any other distributor or seller of gasoline who has paid the license tax thereon as fixed by subsection (a) of this section shall not be required to pay such license tax; provided, however, that in order to obtain such exemption such distributor or seller claiming such exemption must, on or before the 25th day of November, 1947, and on or before the 25th day of each and every calendar month thereafter, file with the Probate Judge and License Inspector of the county, a written statement, sworn to and subscribed by such distributor or seller, claiming exemption, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of gasoline made by such distributor or seller during the calendar month next preceding, together with the name and address of the distributor, seller, or other person from whom purchased, received, or procured, and the kind of such gasoline, the quantity of each kind or such gasoline, the date or dates on which purchased, received, or procured, and the disposition thereof by such distributor or seller claiming the exemption; such statement to be made in form prescribed by the License Inspector. (c) Each and every distributor or seller of gasoline except such as claim and obtain exemption under the provisions of subdivision (b) of this section, shall, on or before the 25th day of November, 1947, and on or before the 25th day of each and every month thereafter, file with the Probate Judge and License Inspection of the county, on forms prescribed by the License Inspector, a written report, in duplicate, sworn to and subscribed by such distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of gasoline made by such distributor or seller during the calendar month next preceding, together with the name and address of the distributor, seller or other person from whom purchased, received or procured, the kind or such gasoline, the quantity of each kind of such gasoline, the date or dates on which purchased, received or procured; and which shall contain a detailed, itemized statement showing the name and address of each and every distributor or seller, or other person, to whom any gasoline is sold, distributed or delivered by such distributor or seller, together with the quantity of each kind of gasoline sold, distributed or delivered to each, the date or dates on which sold, distributed or delivered, and the place or places at which delivered and to be delivered for retail sale, including the name of any municipality of the county within the corporate limits of which delivered, or to be delivered for retail sale, and the aggregate quantities of each kind of gasoline delivered, or to be delivered for retail sale, therein; and any distributor or seller failing, refusing or omitting to file such a statement as herein prescribed shall be guilty of a misdemeanor, and each day that such default continues shall constitute a separate offense. (d) The license tax herein fixed and prescribed in subsection (a) of this section shall and must be paid by each person against whom the same is levied, or who is liable or subject to such tax under the provisions hereof, on or before the 25th day of each calendar month, at the time of filing the statement required by subsection (c) of this section, which license tax shall be based on the sale, distribution, delivery, storage and taking out of storage, of gasoline during the calendar month next preceding; and any person failing, refusing, or omitting to pay such license tax within the time herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense, and in addition to the other penalties herein provided for, there

shall be added to such license tax a penalty of fifteen per centum of the amount thereof for such delinquency, or if such delinquent statement indicates that no tax is due the penalty shall be fifteen dollars, said penalty in either case to be paid to the probate judge and paid by him to the license inspector and by the license inspector into the general fund of the county.

Section 2. That Section 10 of that certain Act of the legislature approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last of any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act," as amended by Act No. 440, General Acts of Alabama of 1949, Page 647, approved August 23, 1949, be and the same hereby is amended to read as follows:

"Section 10. (a) It shall be the duty of any person subject to the license tax imposed by this Act to keep full and complete records of all purchases, sales, receipts, inventories and of all other matters from which the correct amount of license tax to which such person is subject may be ascertained; to preserve same for a period of at least two years; and in the event that such person shall discontinue his business, he shall not destroy or dispose of such records until he shall have given the probate judge and the license inspector of the county thirty days' notice in writing of his intent to destroy or dispose of such records. The failure of such person to keep such records, or to preserve same as aforesaid, or his destruction or disposition of such records without giving such notice, shall constitute a misdemeanor. (b) Upon demand by the probate judge or his authorized deputy, auditor or representative or by the license inspector of the county, it shall be the duty of any such person subject to the license tax imposed by this Act to furnish such demanding person, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination, during reasonable hours, at such person's place of business within the county, all books of accounts, invoices, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories, and any other information from which the correct amount of license tax to which such person is subject may be determined including exhibition of bank deposit books and bank statements; and any such person whose place of business is located outside the county, shall upon the demand of such demanding person, produce such records at the office of the license inspector or probate judge for examination and auditing, or failing to do so shall pay the travel and per diem expenses of an auditor from the license inspector's or probate judge's office in coming to his place of business for the purpose of examining and auditing his books and records; and any person failing or refusing to submit such records for such inspection and examination upon such demand, shall be guilty of a misdemeanor. (c) If any person subject to the provisions of this Act does not have in such person's

control or possession within the county, true and intelligible books of account, invoices, papers, reports or memoranda correctly showing the data and information necessary for determination of the correct amount of the license tax due, or if, having in such person's possession or under such person's control such books, invoices, papers, reports or memoranda, such person shall fail or refuse to submit and exhibit the same for inspection, and it shall be the duty of the license inspector or probate judge of the county to ascertain from such information and data as he may reasonably obtain, the correct amount of license tax due from such person, and to assess the same against such person and to give such person notice of said assessment and to demand of such person immediate payment to the probate judge of the amount of such license tax. If the amount of the license tax so ascertained and demanded is not paid within 10 days after receipt of notice of the assessment and demand for payment thereof, then, so long as said amount remains unpaid it shall be unlawful, and shall constitute a misdemeanor, for the person to engage in business as a distributor or seller, and each day's engagement in such business shall constitute a separate offense. (d) It shall be unlawful for any person connected with the administration of this Act to divulge any information obtained by him in the course of the inspection and examination of the books, invoices, reports, papers, or memoranda of the license taxpayer made pursuant to the provisions hereof, except to a person thereunto duly authorized by the governing body of a municipality of such county or to the judge of probate, the county attorney, the license inspector or others connected with the administration of this Act, or unless required under proceedings or orders of any competent court. (e) Every person engaged in selling or transporting gasoline in any county subject to the provisions of this Act shall have at his place of business and also in his possession when transporting gasoline a report, or statement in writing showing from whom all gasoline in his possession was received; provided, however, this subsection shall not apply to a person who transports no gasoline except in the tank connected with the carburetor of the vehicle in which he is riding. Any person engaged in such business who transports gasoline for delivery at some point other than his place of business shall have in his possession a written report or statement showing the person to whom such gasoline is to be delivered, and showing the address of such latter person; provided, that this provision shall not apply to distributors duly qualified to do business in such counties in making local deliveries. Any person who sells, distributes, delivers, stores or takes out of storage gasoline in a tank-car truck or tank vehicle in such county shall have painted on the side of such truck or vehicle the word 'gasoline' and his business name and address, in letters of not less than four inches in height. (f) Every distributor and seller of gasoline who withdraws same from storage to be delivered to any person other than the ultimate consumers thereof shall require that such person make written affidavit, or statement in writing under penalty of perjury, showing the exact point or points to which each gallon of said gasoline is to be delivered; and it shall be the duty of each such distributor and seller to keep said statements under the provisions of this act. (g) No gasoline shall be unloaded from motor trucks, or other vehicles, or conveyed in any other manner into storage tanks, or other equipment located at any gasoline service station in the county, or at any other place of business in the county at which gasoline is sold or offered for sale at retail to the public, between the hours of 9 p. m. and 5 a. m. of any day. Any person who violates the provisions of this subsection shall be guilty of misdemeanor.

Section 3. That Section 12 of that certain Act of the Legislature approved September 16, 1947, General Acts of Alabama of 1947, Page 200, entitled "An Act to apply in, and only in, counties which have population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied

by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number or gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act, "as amended by Act No. 440, General Acts of Alabama of 1949, Page 647, approved August 23, 1949, be and the same hereby is amended to read as follows:

"Section 12. The license taxes required to be paid by this act shall be paid to the probate judge of the county and by him into the aforesaid special county gasoline tax fund and shall be distributed from such special fund as follows: One-half of one percent or said tax first shall be paid to the probate judge to be paid by him to the general treasury of the county for the collection and distribution of said tax; one and one-half per cent of said tax shall be paid to the license inspector for the enforcement of the provisions of this act and shall be paid by the license inspector to the general treasury of the county; and remainder of the said tax, after first deducting the two per cent as above provided, shall be distributed as follows: To each municipality of the county within the corporate limits of which gasoline has been delivered according to report provided for in subsection (c) of Section 3 hereof, an amount equal to one cent on each gallon of gasoline shown by such report to have been delivered, or withdrawn for delivery for retail sale, within the corporate limits thereof; and to the county treasury, the entire remainder, for application as hereinafter prescribed. Such distribution shall be made on or before the 5th of the month following the month in which taxes are paid, and at the time of such distribution the probate judge shall deliver to the municipality of such county having the greatest population a copy of each report according to which distribution is made, the same to be subject to inspection by authorized representatives of all municipalities of the county. An authorized representative of any municipality of the county and the license inspector shall have the right to inspect the records of the maker of any report, and if by such inspection, or by an amended report of the distributor or seller, or otherwise, it be disclosed that because of any error in said report any municipality or the county treasury has received a greater or lesser sum than that to which it be entitled under the provisions hereof, then said error in distribution shall be corrected upon making subsequent monthly distributions by adding or subtracting the amounts of said deficiency or excess to or from the sums due to be distributed to said municipality or the county treasury on said monthly distribution dates; provided, however, that no said error shall be corrected more than two years after the making of such report. License taxes hereinabove provided to be paid from said special county gasoline into the general treasury of the county shall be used solely and exclusively for construction, maintenance, improvement and supervision of public roads and bridges in the county. All expenses of administration of this act shall be paid out of the general treasury of the county, in consideration of which two per cent of the tax is allowed to the county as above provided."

Section 4. That Section 16 of that certain Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more according to the last or subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by

law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act," be and the same hereby is deleted, omitted, and repealed.

Section 5. That Section 17 of that certain Act of the Legislature approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this Act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act," be and the same hereby is amended to read as follows:

"Section 17. Subject to rules and regulations promulgated by the County Commission, Board of Revenue or like governing body of such county the probate judge shall issue to applicants therefor permits to purchase, store or use "diesel oil", "tractor fuel", "gas oil", "distillate" or "liquefied gas" for purposes other than the operations of motor vehicles on the public highways, roads and streets of such counties without liability for the tax levied in Section 3 (a) of this act, and any distributor selling or distributing "diesel oil", "tractor fuel", "gas oil", "distillate" or "liquefied gas" to the holder of such permit, or to the holder of a permit issued by the Department of Revenue, or similar authority authorized by law, of the State of Alabama, authorizing the holder thereof to purchase, store or use "diesel oil", "tractor fuel", "gas oil", "distillate", or "liquefied gas" for the purposes other than the operation of motor vehicles on the highways of this state without liability for state excise tax, shall not be liable for the excise or license tax herein levied upon such sale or distribution to such holder it being the intent of this act that the said license tax shall be imposed only where such "diesel oil", "tractor fuel", "Gas oil", "distillate" or "liquefied gas" are used in the operation of motor vehicles on the public highways, roads and streets of such counties. An applicant for a permit under this section shall satisfy the probate judge that such "diesel oil", "Tractor fuel", "gas oil", "distillate" or "liquefied gas" will not be used in the operation of motor vehicles on the public highways, roads, and streets of such counties."

Section 6. This act shall become effective October 1, 1951.

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Golson	Norrell	Richardson	
Andrews	High	Phillips	<b>Thagard</b>	
Benson	Hollis	Pinson	Todd	
Boutwell	Jones	Quarles	Whatley	
Fant	Larkins	Reneau	Wright	
Farmer	McCary			—21

*Nays:*

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Golson	Norrell	Richardson	
Andrews	High	Phillips	<b>Thagard</b>	
Benson	Hollis	Pinson	Todd	
Boutwell	Jones	Quarles	Whatley	
Fant	Larkins	Reneau	Wright	
Farmer	McCary			—21

*Nays:*

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bill, your signature thereto is requested.

H. J. R. 91. Relative to appointing Legislative Committee to assist Alabama State Bar in making survey and analysis of judicial system of Alabama.

Also:

H. 177. For the relief of Robert F. Free and to appropriate for the said Robert F. Free the sum of \$2500.00 to compensate him for severe and permanent injuries and the loss of use of a leg and expenses incident thereto, sustained by him while in the employ of the State Highway Department.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

#### BILLS ON THIRD READING RESUMED

The Bill:

S. 359. To define, regulate and license barbers and barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, to fix and prescribe license fees for barbers, barber colleges and like businesses, to prescribe penalties and punishment for the violation of this act, in counties of the

State of Alabama having a population of less than two hundred and twenty-five thousand, according to the last or any subsequent federal census.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

#### SUBSTITUTE FOR SENATE BILL NO. 359

##### A BILL TO BE ENTITLED AN ACT

To define, regulate and license barbers and barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, to fix and prescribe license fees for barbers, barber colleges and like businesses, to prescribe penalties and punishment for the violation of this act, in counties of the State of Alabama having a population of less than two hundred and twenty-five thousand, according to the last or any subsequent federal census.

Be It Enacted by the Legislature of Alabama:

**Section 1.** It shall be unlawful for any person, partnership, association or corporation to act as a barber, a barber teacher, an apprentice barber, a person or persons commonly known and called as a scalp specialist, house barbers, or to operate a barber college, barber shop, or other like business, or to advertise or assume to act as such without first having obtained a license issued by the State Board of Barber Examiners. No partnership, association or corporation shall be granted a license unless every member or officer of such partnership, association or corporation, who actively engages in the barber business, barber college, or like business of such partnership, association or corporation, shall hold a license as a barber as hereinafter provided for. It shall also be unlawful for any license to violate any of the rules and regulations of the State Board of Barber Examiners duly promulgated, and for anyone to violate the provisions of this act.

**Section 2. Definitions.** A barber, barber shop, barber college, apprentice barber, barber teacher, scalp specialist, house barbers, or other like business within the meaning of this subdivision, is any person, firm, partnership, association or corporation, who shaves or trims the beard, gives facials or scalp massages, or treats the same with oils or other preparations, singes, shampoos, cuts or dyes the hair of a human being, or applies hair tonic or other cosmetic preparations, clays, or lotions, to the scalp, neck or face, or engages in teaching of any person or persons in the art of barbering, and shall include any state institution, educational or otherwise, where a fee is charged for teaching barbering. No school of barbering or any student therein shall be allowed to charge for any services rendered by any student in the counties hereby affected, as in this section defined. Provided, however, the provisions of this subdivision shall not apply to persons lawfully engaged in the practice of medicine, surgery, or beauty culture (working on female persons only); persons actively engaged in the military service of the United States Government while acting in line of duty; registered nurses in the course of their employment as such; or any state institution where a fee is not charged for teaching barbering.

**Section 3. State Board of Examiners.** There is hereby created a Board of Barber Examiners consisting of three members, one for a term of two years, one for a term of four years and one for a term of six years, after such time the appointment shall be for a six year term, to be appointed by the Governor of the State. Each member of the Board so appointed shall have been a regular practicing barber for at least 5 years in



the state immediately prior to his appointment. The Governor shall have the power to remove any member of said Board for gross incompetency, gross immorality, or disability for any abuse of his official power or for other good cause, and shall fill any vacancy thus occasioned by appointment within thirty days after such vacancy occurs. Members appointed to fill vacancies shall serve only for the unexpired term of their predecessors.

The Board shall organize by electing a president, vice-president, and secretary from its members.

A majority of the Board shall constitute a quorum and may perform and exercise all the duties and powers devolving upon it.

The Board may be furnished suitable quarters for the conduct of its business and shall adopt and use a common seal for the authentication of its orders and records.

The Secretary of the Board shall keep a record of its proceedings, a register of persons registered as barbers and apprentices showing the name, place of business and residence of each and the date and number of his or her certificate, and a record of all certificates issued, refused, renewed, suspended or revoked. Its records shall be open to public inspection at all reasonable times.

The Board shall annually, on or before the first day of January make a report to the Governor of all its official acts during the preceding year, and of its receipts and disbursements and such recommendations as it may deem expedient.

Before entering upon the discharge of the duties of his office, the Secretary shall give a bond to the State, to be approved by the Governor and filed with the Comptroller of State, in the sum of five thousand dollars (\$5,000.00), conditioned for the faithful performance of the duties of his office.

All moneys received by the Board under this act shall be paid to the Secretary of the Board, who shall give a proper receipt for the same, and shall at the end of each month, report to the Comptroller of State the total amount received by him under the provisions of this act, from all sources, and shall at the same time deposit the entire amount of such receipts with the State Treasurer, who shall place them to credit of a special fund to be created and known as "State Board of Barber Examiners Fund (Barber Examining Fund)." The State Board shall, by its president and secretary, from time to time certify to the Comptroller of State the necessary expenses incurred by said Board, including the salaries and the per diem of the members and the Comptroller shall issue his warrant for the same which shall be paid out of the funds so established for the maintenance of said Board; provided, that no order shall be drawn by the Comptroller of State on any fund other than the above named fund for any salaries or expenses of the Board incident to the administration of this act. All funds so paid to the Treasurer of State shall remain and be a separate and permanent fund for the maintenance of the Board and the administration of this act.

All expenditures from the Barbers' Examining Fund and all other expenditures under the provisions of this act shall conform to Article 3, Chapter 4, Title 55, Code of Alabama 1940.

The Secretary of the State Board of Barber Examiners shall receive for his services not to exceed the sum of forty-five hundred (\$4500.00) dollars per year, payable monthly or semi-monthly in equal installments; said amount to be set by the other members of the Board.

Each member of the Board shall receive fifteen (\$15.00) dollars for

each day actually employed in the discharge of his official duties, and necessary expenses incurred.

The Board shall have authority to employ not to exceed four (4) registered barbers inspectors, not to exceed two (2) stenographers, and set their compensation, and retain counsel, to be paid from the barber fund, as it may deem necessary to carry out the provisions of the barber practice act; provided, that all employees shall work under the direct supervision of the Board.

The State Board of Barber Examiners of Alabama is hereby vested with full police power to prefer charges against and to make arrests of any person or person violating any part of this law. The Board of Examiners shall have full authority to designate inspectors and to deputize same as police officers and to fix bond for the performance of their duties, and such deputy police officer shall have full authority to prefer charges or make arrests of any person or persons violating any of the herein provided laws pertaining to barber shops, barber colleges, apprentice barbers, barber teachers, scalp specialists, house barbers, or other like business within the meaning of this law.

And the jurisdiction of each officer or deputy inspector shall not be restricted to any one county, but he shall have full authority throughout the State of Alabama.

Provided, however, that said officers and deputies shall have no authority to prefer charges or make arrests for the violation of other than the barber laws as provided for and set out in this act.

All persons, firms, or corporations, operating a barber shop, barber teachers college, barber schools, and schools for scalp specialists, shall operate such establishments and keep the same in a sanitary condition and in compliance with health and sanitary rules and regulations promulgated by the State Department of Health.

The principal office of said Examiners is to be located at Montgomery, Alabama. The State Board of Barber Examiners shall adopt a seal with such design as they may prescribe engraved thereon, by which they shall authenticate their proceedings. Copies of all records and papers in the office of the Examiners, duly certified and authenticated by their seal, shall be received in evidence in a court with like effect as the original. All records kept in the office of the Examiners under authority of this subdivision shall be open to public inspection under such rules and regulations as shall be prescribed by the Examiners. All fees and charges collected by the Board of Examiners under the provisions of this subdivision shall be paid into the treasury of the State and shall constitute a separate fund to be disbursed by the State Treasurer on the order of the Board of Barber Examiners. The expenses incurred by the Examiners or their agents in the exercise of their office and the salary or compensation of such Examiners or agents shall be paid by the State Treasurer upon approval of the State Board of Barber Examiners on vouchers or statements showing such expenses incurred and salary or compensation due, signed by the State Board of Barber Examiners.

Section 4. Application for licenses, hearing, appeals and fees. Every applicant for a barber's license, apprentice barber's license, barber teacher's license, scalp specialist's license or license to operate a barber shop or barber college or other like business shall apply therefor in writing on blanks prepared or furnished by said Barber Examiners, which shall be accompanied by the recommendation of at least two barbers not related to applicant, certifying that the applicant is of good reputation, is qualified to practice the profession of barbering and recommended that a license be granted. The application shall be accompanied by the application fee hereinafter provided and a reputable doctor's certificate certifying that such applicant has no communicable or contagious or infectious

disease. The Examiners, after an application in proper form has been filed, shall, before refusing to issue a license, set the application down for a hearing and determination as hereinafter provided. No license shall be granted to any person under the provisions of this act who does not possess a good moral character, has an elementary school education, or its equivalent, is at least eighteen years of age, has practiced as an apprentice barber for a period of at least one year, and has passed such examination as the State Board of Barber Examiners may require; provided however any person or persons engaged in the occupation of barbering for a period of less than one year may be licensed as an apprentice barber, provided he is seventeen years of age, and has an elementary school education or its equivalent and upon passing such examination as the Board of Barber Examiners may require. The Examiners shall issue a license in such form as he may prescribe, which shall show the name and address of the licensee and the barber shop or college in which he is employed. The seal of the Examiners shall be imprinted and such additional matter placed thereon as the Examiners may designate. It shall be the duty of each person, firm, partnership, association or corporation to conspicuously display his license in his place of business. The examiners shall issue to each licensee a pocket card on which shall be an imprint of the seal of the Examiners, certifying that the person whose name appears thereon is a licensed barber or operator of one of the businesses named, as the case may be. The original fee for each barber's license, apprentice barber's license, barber teacher license and scalp specialist license, shall be fifteen (\$15.00) dollars and the annual renewal fee shall be ten (\$10.00) dollars. The original fee for each person to operate a barber shop or other like business shall, in addition to the fee hereinbefore provided, be ten (\$10.00) dollars and the annual renewal fee shall be two and 50/100 (\$2.50) dollars per chair. The original fee for each person to operate a barber college shall, in addition to the fee hereinbefore provided, be six hundred (\$600.00) dollars, all of which fees shall be due and payable annually. Every license shall expire on the 30th day of September each year. Said licenses for the ensuing year shall be due and payable on October 1st of each year, and delinquent on the 1st day of January of each year. There shall be no exemptions from the payment of these licenses by any barber, scalp specialist, barber apprentice barber teacher, barber school, barber shop operator, partnership, association or corporation, school board or public institution. Any barber, barber shop, barber college or other like business within the meaning of this subdivision, and any person, firm, partnership, association or corporation who fails to pay the license herein prescribed, within the time required by this article, shall, in addition to the license required, pay a penalty of twenty (20%) percent of the amount of license due and, in addition to the license and penalty, shall pay interest at the rate of one-half of one percent per month or fraction thereof from the date on which the license became due and payable. The Examiners shall issue a new license for the ensuing year in the absence of any reason or condition that might warrant the refusal of the granting of the license upon the receipt of written request of the applicant, accompanied by the annual fee therefor as herein required, accompanied also by the certificate of a reputable physician asserting that the applicant then has no contagious, communicable or infectious disease. The Examiners may upon their own motion, and shall, upon the verified complaint in writing of any three persons making out a prima facie case, investigate the actions of any person hereby affected, and shall have the power to suspend or revoke any license issued under the provisions of this subdivision at any time where the licensee has fraudulently obtained a license or where the licensee, in performing or attempting to perform any of the act mentioned herein, is found by the Barber Examiners (a) to have violated any state, county or municipal statute or ordinance pertaining to the operation of the businesses hereby affected, (b) to have violated any rule or regulation established by the Examiners, (c) to have failed upon the request of the Examiners to give evidence and/or proof of the compliance with the same. The Examiners

shall, before denying an application for a license, or before suspending or revoking any license, set the matter down for a hearing and, at least twenty days prior to the date set for the hearing, notify the applicant or licensee in writing, which notice shall contain an exact statement of the charges made and the date and place of hearing. The applicant or licensee at all such hearings shall have the opportunity to be heard personally and by counsel. Such notice may be served by the deliver of the same personally to the applicant or licensee or by mailing the same by registered mail to the last known business address of such applicant or licensee. In preparation and conduct of hearings, the Examiners shall have the power to require by subpoena the appearance and the testimony of witnesses and the production of papers and the Examiners may sign subpoenas, administer oaths and examine witnesses. Fees and mileage shall be the same as prescribed by law in judicial procedure in the Circuit Courts of this State in civil cases. Any party to a hearing shall have the right to the attendance of witnesses in his behalf. In case of disobedience to a subpoena the Examiners may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers, and such court may issue an order requiring the person to appear before the Examiners and give evidence or produce papers, as the case may be, and any failure to obey such order of the court may be punished by the court as a contempt thereof. Any person so refusing to appear and give testimony required by such Examiners shall be guilty of a misdemeanor. If the Examiners shall determine that any applicant is not qualified to receive a license or that any licensee is guilty of the violation of any of the provisions of this subdivision a license shall not be granted or the same shall be suspended or revoked, as the case may require. Upon request of the applicant or licensee in writing the Examiners shall furnish said party with a definite statement of his findings of fact and his reason or reasons for refusing to grant the license or for his suspension or revocation of same. The findings of the Examiners may be appealed to the Circuit Court of the county, provided an appeal is taken within thirty days after final determination of the Examiners. Any person desiring to appeal under this subdivision shall file with the Examiners a notice in writing that he appeals to the Circuit Court, together with a bond signed by at least two solvent sureties, payable to the county wherein the case should be tried, conditioned to prosecute such appeal to effect, and upon failure to do so to pay all costs and damages which may be taxed against him by the Circuit Court on such appeal. Such bond shall be approved by the Clerk of the Circuit Court of the county and such cause so appealed shall be tried de novo in said Circuit Court. The Examiners shall at least every three months hold an examination for the purpose of determining the qualifications of any applicant to become a barber, barber apprentice, shop operator, teacher in a barber school, or scalp specialist and shall conduct such examination in accordance with the provisions hereof and in accordance with the rules and regulations promulgated by such Examiners, not inconsistent with this subdivision, and said examination to be conducted in the city, town or village where the office of the Examiner is located.

Section 5. Penalties for violation. Any person violating the provisions of this act or violating any rule or regulation duly promulgated by the Barber Examiners shall, upon conviction, be punished by a fine of not more than one hundred (\$100.00) dollars or by imprisonment for a term not to exceed two months or by both fine and imprisonment, in the discretion of the court. This provision shall also have application to any officer or agent of a corporation, partnership or association operated in violation of this act. Any court of competent jurisdiction in the county shall have full power to try any violation of this act and upon conviction the court may, at its discretion, revoke the license of the person, partnership, association or corporation so violating such act, in addition to the imposition of the fine and/or imprisonment imposed by the court.

Section 6. Severability. If for any reason any clause, sentence, sec-

tion, subsection or provision of this act or the application thereof to any person, firm, corporation, association, body, situation or circumstance, is held invalid or inoperative, the remainder of this act and the application thereof to any other person, firm, corporation, association, body, situation or circumstance, shall not be affected thereby.

Section 7. All laws and parts of laws inconsistent with or in conflict with this act in counties of the State of Alabama having a population of less than two hundred and twenty-five thousand (225,000), according to the last or any subsequent federal census, are hereby expressly repealed.

Section 8. Effective date. This act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

The Standing Committee also reported the following amendment to the substitute for the Bill, to-wit:

#### AMENDMENT TO SUBSTITUTE FOR SENATE BILL NO. 359

Amend the Substitute for Senate Bill No. 359 as follows:

1) Insert immediately following the semi-colon in the seventh line of page seven thereof the following:

"except that no person who has been a practicing barber for at least eighteen months immediately preceding the effective date of this Act shall be required to take an examination or meet the educational qualifications prescribed by this Act;"

2) Insert immediately preceding the period in the eleventh line of page eight thereof the following:

" , except that disabled veterans who are exempt from the payment of business or occupational licenses by the provisions of Article 14, Chapter 20, Title 51, Code of Alabama, 1940, as amended, shall be exempt from the payment of the licenses imposed herein."

Which was adopted.

Mr. McCary offered the following amendment to the substitute, as amended, for the Bill, to-wit:

Amend Section 7 of substitute as amended for S. B. 359 by adding at the end of said Section the following:

"This Act shall not apply in or be applicable to any county having a population of not less than 73,100 or more than 93,500 inhabitants according to the 1950 or any subsequent Federal decennial census."

Which was adopted.

Mr. Quarles moved that further consideration of the Bill and pending substitute as amended be indefinitely postponed, which motion was lost.

Yeas 15; Nays 16.

Yeas:

Messrs.:	Fant	Norrell	Richardson
Bonner	Farmer	Phillips	Sollie
Byars	Golson	Pinson	Thagard
Eddins	Johnson (Chambers)	Quarles	Wright

*Nays:*

Messrs.:	Foster	Jones	Skidmore
<b>Benson</b>	High	Locke (Choctaw)	Smith
Boutwell	Hollis	McCary	Todd
Clayton	Johnston (Mobile)	Reneau	Whatley
Faulkner			

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And said substitute, as thus amended, for the Bill was then adopted.

Yeas 32; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
<b>Benson</b>	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright
Farmer			

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*Nays:*

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and lost.

Yeas 15; Nays 17.

*Yeas:*

Messrs.:	Faulkner	Johnston (Mobile)	Skidmore
<b>Benson</b>	Foster	Jones	Smith
Boutwell	High	McCary	Todd
Clayton	Hollis	Reneau	Whatley

—15

*Nays:*

Messrs.:	Farmer	Norrell	Richardson
<b>Bonner</b>	Golson	Phillips	Sollie
Byars	Johnson (Chambers)	Pinson	Thagard
Eddins	Locke (Choctaw)	Quarles	Wright
Fant	Locke (Perry)		

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## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 581. The vote being: Yeas 86; Nays 0.

And said bill:

H. 581. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing the governing body of any such county to provide for the employment of a deputy clerk in the office of the Clerk of the Circuit Court.

as amended by the report of the Committee of Conference was again read at length and passed by a vote of: Yeas 81; Nays 0.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Martin, Crook, Hardy, Selden, Wilson, DeSear, Molette, Engelhardt, Givhan, Bamburg, Lee, Thomas, Springer, Brassell, Sellers, Robinson, Langdon, Hall, Tennille, Crocker, McKee, Oakley, Mathews, McNider and Pruitt:

H. 918. Relating to the Legislature and legislative representation: To fix the number of representatives and apportion them among the several counties of the State.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 918—To the Committee on Judiciary.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Brannan:

H. 316. To make appropriations for the fiscal years 1951-52 and 1952-53 to provide facilities for a nurses' educational program in the District Tuberculosis Sanatoria of the State of Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 316—To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 235. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate joint resolutions:

By Mr. Johnston (Mobile):

S. J. R. 69. Relating to the naming of S. B. 497 the Johnston (Mobile), Kendall, Merrill, Adams (Tallapoosa), and White (Covington) bill.

Also:

By Mr. Johnston (Mobile):

S. J. R. 70. Relating to the naming of S. B. 418 the Johnston (Mobile), Pfleger, Wilkins, Gallalee and Brannan bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 413. Proposing to amend further Section 284, Article XVIII, Constitution of Alabama (1901), which relates to the mode of amending the Constitution.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Sellers and Hawkins (Etowah):

H. 273. To amend Section 343 of Title 55 of the Code of Alabama of 1940, relating to the appropriation for the State Board of Adjustment; to increase the amount appropriated for the payment of awards and expenses.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 273—To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:



By Messrs. Russell and Harrison (Shelby):

H. 811. Relating to license inspectors and their duties; amending Section 835, Title 51, Code of Alabama (1940).

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 811—To the Committee on Finance and Taxation.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 325. To regulate through licensure the business, occupation, or calling of real estate brokers and real estate salesmen: defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling; providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws.

Also:

H. 581. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing the governing body of any such county to provide for the employment of a deputy clerk in the office of the Clerk of the Circuit Court.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 418. To separate the Division of Game, Fish and Seafoods of the Department of Conservation into two distinct divisions. To create within the Department of Conservation a division to be known as the Division of Seafoods. To provide for its personnel, powers, functions and duties. To

provide further for the proper operation of said division. To rename the Division of Game, Fish and Seafoods. To authorize the transfer of certain functions and duties from the Division of Game, Fish and Seafoods to the Division of Seafoods. To rename the Game, Fish and Seafoods Fund. To create a Seafoods Fund. To provide what monies shall constitute such fund. To repeal Sections 111, 125, 126 and 127, Title 8 of the 1940 Code of Alabama. To repeal all laws or parts of laws in conflict with this Act and for other purposes.

Also:

S. 497. To authorize the Governor, the Director of the Department of Industrial Relations, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State upon which it shall, at a cost not to exceed three million, two hundred fifty thousand dollars, construct, operate, and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to any Department, Board, Bureau, Commission, or Agency of the State; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by Departments, Boards, Bureaus, Commissions, and agencies of the State of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities; and to repeal Act No. 146, approved June 23, 1945, General Acts of 1945, page 182, Act No. 147, approved June 23, 1945, General Acts of 1945, page 188 and as amended by Act No. 647, approved October 9, 1947, General Acts of 1947, page 500, Act No. 557, approved September 8, 1949, General Acts of 1949, page 868, and Act No. 558, approved September 8, 1949, General Acts of 1949, page 869, and all other laws or parts of laws in conflict herewith.

HERBERT B. BYARS,  
Chairman.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

### BILLS ON THIRD READING RESUMED

#### The Bill:

H. 958. Relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in counties having populations of not less than 94,000 nor more than 110,000 inhabitants; providing for the assessment, collection, and distribution of

the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

was taken up.

Mr. Skidmore offered the following substitute for the Bill, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To levy a privilege or license tax upon the sale, distribution delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 94,000 and not more than 110,000 according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of one and one-half cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the Probate Judge and distributed by him; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act.

Be It Enacted by the Legislature of Alabama:

SECTION. 1. This Act shall apply to any county having a population of not less than 94,000 and not more than 110,000 inhabitants according to the preliminary count of the 1950 or any subsequent decennial census of the United States. This Act shall not have the effect of altering or repealing in anywise any statute now in effect, but shall be in addition to and cumulative of all laws now in effect. This Act shall not have the effect of legalizing the sale, distribution, delivery, storage, taking out of storage, or possession in said County of any beverage now or hereafter prohibited by law.

SECTION 2. Definitions. When used in this Act: (a) The term "person" means and includes every natural person, firm, corporation, club, partnership, company, trustees, agency, or association, or any agent, servant, employee or officer thereof, singular or plural. (b) The term "distributor" and the term "seller" each shall mean and include any person, as the word "person" is herein defined, who is engaged in the business of selling, distributing, delivering, storing, or taking out of storage, malt or brewed beverages, as the words "malt or brewed beverages" are herein defined, within the county; provided, however, the terms "distributor" and "seller" shall not mean and include the Alabama Alcoholic Beverage Control Board, nor the members, officers, or employees thereof while engaged in the performance of their duties under the Alabama Beverage Control Act, nor any liquor store or warehouse established, operated and maintained by the said Alabama Alcoholic Beverage Control Board under said Act. (c) The term "malt or brewed beverages" means and includes any beer, lager beer, ale, porter, near beer, or similar fermented malt liquor; provided, however, said term shall not include root beer.

SECTION 3. The tax levied by this Act shall be in addition to all other taxes and licenses now imposed by law. Every distributor or seller of malt or brewed beverages shall in addition to all other taxes and licenses now imposed by law, pay a license tax to the county, and a license tax is hereby fixed and created which shall be a sum and amount equal to one and one-half cents on each twelve fluid ounces or fractional part thereof of malt or brewed beverages sold, distributed, delivered, stored, or taken out of storage within the county; provided, however, that where the additional license tax hereby required to be paid shall have been paid by a distributor or seller of malt or brewed beverages, such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on the same identical

beverage; provided further, however, that any distributor or seller, in order to be exempt under this provision shall first comply with the provisions of subsection (b) of this section. (b) Any distributor or seller of malt or brewed beverages, selling, distributing, delivering, storing, or taking out of storage malt or brewed beverages purchased from any other distributor or seller of malt or brewed beverages who has paid the license tax thereon as fixed in sub-section (a) of this section shall not be required to pay such license; provided, however, that in order to obtain such exemption such distributor or seller claiming such exemption must, on or before the 15th of September, 1951, and on or before the 15th day of each and every calendar month thereafter, file with the Probate Judge of the county, a written statement, sworn to and subscribed by such distributor or seller, claiming exemption, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceeding, together with the name and address of the distributor, seller, or other person from whom purchased, received, or procured, and the brand of such malt or brewed beverages, the quantity of each brand of such malt or brewed beverages, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received, or procured, and the disposition thereof by such distributor or seller claiming the exemption; such statement to be made in form prescribed by the Probate Judge. (c) Each and every distributor or seller of malt or brewed beverages, except such as claim and obtain exemption under the provisions of sub-division (b) of this section, shall, on or before the 15th day of September, 1951, and on or before the 15th day of each and every month thereafter, file with the Probate Judge and License Inspector of the county, on forms prescribed by the Probate Judge, a written statement, sworn to and subscribed by such distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceeding, together with the name and address of the distributor, seller, or other person from whom purchased, received, or procured, the brand of such malt or brewed beverages, the quantity of each brand of such malt or brewed beverages, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received, or procured; and which also shall contain a detailed, itemized statement showing the name and address of each and every distributor, or seller, or other person to whom any malt or brewed beverages are sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages, sold, distributed or delivered to each, the size and kind of containers of each brand of such malt or brewed beverages, and the date or dates on which sold, distributed or delivered; and any distributor or seller failing, refusing, or omitting to file such statement as herein prescribed shall be guilty of a misdemeanor, and each day that such default continues shall constitute a separate offense. (d) The license herein fixed and prescribed in sub-section (a) of this section shall and must be paid by each person against whom the same is levied, or who is liable or subject to such license under the provisions hereof, on or before the 15th day of each calendar month, at the time of filing the statement required by sub-section (c) of this section, which license shall be based on the sale, distribution, delivery, storage and taking out of storage, of malt or brewed beverages, during the calendar month next preceeding; and any person failing, refusing, or omitting to pay such license within the time herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense, and in addition to the other penalties herein provided for, there shall be added to such license tax a penalty of twenty percentum of the amount thereof for such delinquency, said penalty to be paid to the License Inspector.

SECTION 4. It shall be unlawful for any distributor, or seller, or any

person having no place of business within the county to make any sale, distribution, or delivery of malt or brewed beverages within the county without first having obtained a permit to do so from the Probate Judge of the county; and such person, distributor, or seller shall be liable for and subject to the license tax fixed and specified in Section 3 of this Act; provided, however, that nothing contained in this section or in any other part of this Act shall authorize any sale, distribution, or delivery of malt or brewed beverages within the county if such sale, distribution, or delivery is prohibited by any other laws of this State. The License Inspector shall have authority to seize any and all malt or brewed beverages upon which the tax levied herein has not been paid, provided that this provision shall not apply to malt or brewed beverages in the possession of wholesale dealers or jobbers kept for the purpose of resale or reshipment into a county not subject to the provisions of this Act. After such seizure, the License Inspector shall commence condemnation proceedings by filing a bill in equity in the circuit court of such county praying that such malt or brewed beverages be forfeited and sold. Any person, firm, corporation or association of persons in whose possession said malt or brewed beverages have been found or who shall claim to own the same, or any interest therein, shall be made a party defendant to said bill, and thereupon such matter shall proceed and be determined in equity in the circuit court of the proper county. After the malt or brewed beverages are condemned and forfeited as being in violation of the provisions of this Act, the court shall direct in its decree that said malt or brewed beverages shall be delivered to the purchasing agent or authority of such county to be sold by said purchasing agent or authority at public outcry to the highest bidder for cash, after three days' notice of such sale by posting a notice on any bulletin board located within the courthouse of the county where such malt or brewed beverages were received. The proceeds of such sale shall be paid by the purchasing agent or authority to the probate judge and the probate judge shall distribute such moneys as are received by him from the purchasing agent or authority in the same manner as other moneys are distributed by him as provided in this Act. From any decree or judgment of the circuit court, in equity, condemning any such malt or brewed beverages any party or parties aggrieved thereby may appeal to the Court of Appeals of Alabama within fifteen days from the time of such decree or judgment upon giving security for the costs of such appeal. And from any judgment or decree of the circuit court, in equity, denying the condemnation and seizure of any such malt or brewed beverages, the License Inspector of such county may likewise appeal within fifteen days without the giving of any bond. When any person, firm, corporation or association, or the License Inspector appeals the malt or brewed beverages involved shall remain in the custody of the License Inspector until a final determination of the cause or appeal. Upon any decree of condemnation and seizure, the court shall direct that the costs of the proceeding be paid by the person in whose possession said malt or brewed beverages were found, or by any person or party who claims to own the same, or any interest therein, and who contests its condemnation and seizure.

**SECTION 5.** It shall be unlawful and shall constitute a misdemeanor for any distributor or seller to engage or to continue in business as such distributor or seller at any time when he is in default in the payment of the license tax required to be paid by this Act; and each day during which a distributor or seller, then in default of said license tax, shall engage in such business shall constitute a separate offense.

**SECTION 6.** None of the provisions of this Act shall apply to acts or transactions which constitute interstate commerce, nor shall any provision hereof apply to United States or other Government business.

**SECTION 7.** It shall be unlawful for any person to act as agent, servant or employee for any distributor or seller who is delinquent in the payment of the license tax required by this Act to be paid, in engaging in

or assisting in carrying on the business for which the distributor or seller is required to pay such license tax, and each day such agent, servant or employee shall engage in or assist in carrying on such business shall constitute a separate offense.

SECTION 8. (a) It shall be the duty of any person subject to the license tax imposed by this Act to keep full and complete records of all purchases, sales, receipts, inventories and of all other matters from which the correct amount of license tax to which such person is subject may be ascertained; and in the event that such person shall discontinue his business, he shall not destroy or dispose of such records until he shall have given the Probate Judge and the License Inspector of the county thirty days notice in writing of his intent to destroy or dispose of such records. The failure of such person to keep such records, or his destruction or disposition of such records without giving such notice, shall constitute a misdemeanor. (b) Upon demand by the Probate Judge or his authorized deputy, auditor, or representative, or by the License Inspector of the county, it shall be the duty of any such person subject to the license tax imposed by this act to furnish such demanding person, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination, during reasonable hours, at such person's place of business within the county, all books of accounts, invoices, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories, and any other information from which the correct amount of license tax to which such person is subject may be determined including exhibition of bank deposit books and bank statements; and any person failing or refusing to submit such records for such inspection and examination upon such demand, shall be guilty of a misdemeanor. (c) If any person subject to the provisions of this Act does not have in such person's control or possession, within the county, true and intelligible books of account, invoices, papers, reports or memoranda correctly showing the data and information necessary for determination of the correct amount of the license tax due, or if, having in such person's possession or under such person's control such books, invoices, papers, reports or memoranda, such person shall fail or refuse to submit and exhibit the same for inspection and examination as herein required, then, in either event, it shall be the duty of the License Inspector of the county to ascertain, from such information and data as he may reasonably obtain, the correct amount of license tax due from such person, and to assess the same against such person and to give such person notice of said assessment and to demand of such person immediate payment of the amount of such license tax. If the amount of the license tax so ascertained and demanded is not paid within 10 days after receipt of notice of the assessment and demand for payment thereof, then, so long as said amount remains unpaid it shall be unlawful, and shall constitute a misdemeanor, for the person to engage in business as a distributor or seller, and each day's engagement in such business shall constitute a separate offense. (d) It shall be unlawful for any person connected with the administration of this Act to divulge any information obtained by him in the course of the inspection and examination of the books, invoices, reports, papers, or memoranda of the license taxpayer made pursuant to the provisions hereof, except to a person thereunto duly authorized by the governing body of a municipality of such county or to the Judge of Probate, the county attorney, the License Inspector or others connected with the administration of this Act, or unless required under proceedings or orders of any competent court. (e) Every person before engaging in the business of a wholesale distributor of malt or brewed beverages in any county subject to the provisions of this act shall file with the Probate Judge a bond in the approximate sum of twice the average monthly tax estimated by the Probate Judge which will be due by the applicant. The bond shall be in such form and amount as may be ap-

proved by the Probate Judge, shall be executed by a surety company licensed and duly authorized to do business in Alabama, shall be payable to the county subject to the provisions of this act, and be conditioned upon the prompt filing of true reports, and the payment by the applicant to the Probate Judge of the license tax herein fixed, provided, and levied on the sale, distribution or withdrawal from storage of malt or brewed beverages on which a tax is herein imposed, together with all penalties and interest thereon, and generally upon faithful compliance with the provisions of this act. Upon the filing of such application and bond and approval of the latter, the Probate Judge shall issue a permit to applicant to engage in such business so long as applicant may be not in default in compliance with the provisions of this act. It shall be unlawful and constitute a misdemeanor for any person to engage in the business of a wholesale distributor of malt or brewed beverages in any such county without first having filed the bond and secured the permit as required herein. (f) In the event the liability upon any bond filed under the provisions of this act shall be discharged or reduced, whether by judgment rendered, payment made, or otherwise, or if in the opinion of the Probate Judge any surety on the bond, therefore given which becomes unsatisfactory or unacceptable, then the Probate Judge may require the filing of a new or additional bond conditioned as hereinabove provided and in the event of the failure of any distributor, within ten days of written notice to it by the Probate Judge, to file such new or additional bond, the Probate Judge shall revoke the permit issued to such person. (g) If upon a hearing had before the Probate Judge after five days written notice to any distributor, the Probate Judge shall decide that the amount of any existing bond filed by any distributor is insufficient, the Probate Judge may order such distributor to file, within ten days after written notice by the Probate Judge to such distributor, a new or additional bond in such amount as the Probate Judge upon said hearing may find reasonably necessary to insure payment of all amounts due or to become due the county, conditioned as hereinabove provided, and if such new or additional bond is not filed within ten days after such notice from the Probate Judge, the Probate Judge may revoke the permit already issued to such distributor and the Probate Judge shall immediately notify the License Inspector. (h) The Probate Judge may reduce the amount of any bond upon written application of any distributor if satisfied that a bond in a reduced amount will insure payment of all amounts due, or to become due under this act, to the county, but in no event shall he reduce such bond to an amount less than double the amount of the tax liability of the principal for the preceding month. (i) Any surety on any bond furnished by any distributor, as above provided, shall be released and discharged from any and all liability to the county accruing on such bond after the expiration of sixty days from the date upon which surety shall have filed with the Probate Judge written request to be released and discharged, provided, however, that such request shall not operate to relieve, release or discharge such surety from any liability already accrued, or which shall accrue before the expiration of said sixty day period. The Probate Judge shall promptly upon receipt of notice of such request notify the distributor who furnished such bond of the request of the surety on said bond, and unless such distributor shall, on or before the expiration of such sixty day period, file with the Probate Judge a new bond in the amount and form hereinbefore in this section provided, the Probate Judge shall forthwith cancel the permit of said distributor.

**SECTION 9.** It shall be unlawful for any person to knowingly or willfully make or exhibit any false written affidavit, certificate or statement as to the amount of stock on hand or volume of gross receipts, revenues or business done, or as to any other fact, and to file such affidavit or statement with or exhibit the same to the Probate Judge, the License Inspector, or any employee of the county for the purpose of defrauding the county by avoiding the payment of the license tax required to be paid by this Act.

**SECTION 10.** The license tax required to be paid by this Act shall be paid to the Probate Judge of the county and shall, by him, be distributed as follows: One percent of said net tax collected first shall be paid to the Probate Judge as additional compensation for performing the duties herein prescribed for the collection and distribution of said tax, one per cent of said net tax collected shall then be paid to the License Inspector for the enforcement of the provisions of this Act. The remainder of said tax, after first deducting the two per cent as above provided, shall be paid into the general fund of the county.

**SECTION 11.** Any person violating any of the provisions of this Act, shall, upon conviction, be punished by a fine of not more than five hundred dollars (\$500.00) and may also be sentenced to hard labor for the county for not exceeding six months, either or both. It shall be the duty of the Probate Judge to receive the license tax herein levied and to make distribution as herein provided. It shall be the duty of the License Inspector to enforce the provisions of this Act and to check the books, records, etc. of any such person subject to the license tax imposed by this Act, and the Probate Judge shall furnish the necessary report forms, for the person subject to the license tax imposed by this Act, on which to make his monthly report to the Probate Judge and License Inspector, the expense of furnishing said forms to be paid for out of the general treasury of the county.

**SECTION 12.** If, for any reason, any clause, sentence, subsection or section, or provision of this Act, or the application thereof to any person or circumstance is held invalid or inoperative, the remainder of the Act and the application thereof to any other person and circumstances shall not be effected thereby.

**SECTION 13.** This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Quarles	
Boutwell	Foster	McCary	Skidmore	
Byars	Golson	Norrell	Todd	
Clayton	High	Phillips	Whitley	
Eddins	Hollis	Pinson	Wright	
Fant	Jones			—21

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Quarles	
Boutwell	Foster	McCary	Skidmore	
Byars	Golson	Norrell	Todd	
Clayton	High	Phillips	Whitley	
Eddins	Hollis	Pinson	Wright	
Fant	Jones			—21

Nays:

—0



REPORT OF COMMITTEE  
ON  
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the twenty-ninth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the twenty-ninth legislative day approved by the Senate.

ADJOURNMENT

At 5:35 P. M., on motion of Mr. Skidmore and in accordance with joint resolution heretofore adopted, the Senate adjourned until Friday, August 17, 1951, at 10 o'clock A. M.

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THIRTIETH LEGISLATIVE DAY

FRIDAY, AUGUST 17, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

PRAYER

The Session was opened with prayer by Hon. J. H. Faulkner, Member of the Senate.

ROLL CALL

Present:

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
Andrews	Foster	Locke (Perry)	Robison
Benson	Golson	McCary	Skidmore
Bonner	High	Norrell	Smith
Boutwell	Hollis	Phillips	Sollie
Byars	Johnson (Chambers)	Pinson	Todd
Clayton	Johnston (Mobile)	Quarles	Whatley
Eddins	Jones	Reneau	Wright
Farmer	Larkins		

—33

JOURNAL

On motion of Mr. Eddins, the reading of the Journal of yesterday was dispensed with and the same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. High, leave of absence was granted Mr. Fant for today.

On motion of Mr. Reneau, leave of absence was granted by Mr. Thagard for today.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Fant:

S. B. 641. To repeal an Act passed by the Legislature of Alabama and approved on September 19th, 1949 (Act No. 576, General and Local Acts of Alabama, 1949, page 906) entitled, "An Act creating the office of County Engineer for Winston County, Alabama; prescribing his qualifications, term of office and salary."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL NOTICE

## COUNTY OF WINSTON

Notice is hereby given that at the regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To repeal an act passed by the Legislature of Alabama and approved on September 19th, 1949, (Act No. 576, General and Local Acts of Alabama, 1949, page 906) entitled, "An Act creating the office of County Engineer for Winston County, Alabama; prescribing his qualifications, term of office and salary."

Be It Enacted by the Legislature of Alabama:

Section 1. That the Act passed by the Legislature of Alabama and approved on September 19th, 1949, (Act No. 576, General and Local Acts of Alabama, 1949, page 906) entitled, "An Act creating the office of County Engineer for Winston County, Alabama; prescribing his qualifications, term of office and salary" be and the same is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approved by the Governor or upon its otherwise becoming a law. EHB-7-24-31-8-7-14

STATE OF ALABAMA  
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for 4 consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 24th day of July 1951, and the last copy of said publication appearing in the said paper on the 14th day of August, 1951.

JAY THORNTON.

Sworn and subscribed to before me this 14th day of August, 1951.

R. J. THORNTON,  
Notary Public.

By Mr. McCary:

S. B. 642. Relating to insurance; regulating insurance companies engaged as multiple-line carriers.

Committee on Insurance.

By Mr. Todd:

S. B. 643. Relating to Franklin County; proposing an amendment to the Constitution of Alabama to authorize the issuance of bonds by the county for the construction of an agricultural building and providing for the construction thereof; and ordering an election on the proposed amendment.

Committee on Constitution and  
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Farmer:

S. B. 644. To amend Section 201 of Act No. 199, of the Regular Session of the Legislature of Alabama approved July 8, 1949, (General Acts of Alabama of 1949, page 230, et seq.) which act amends Chapter 9, Title 15 of the Code of Alabama of 1940 relating to Bail.

Committee on Judiciary.

By Mr. McCary:

S. B. 645. To amend Section 363 of Title 37 of the Code of Alabama of 1940 so as to enlarge the powers of cities and towns with respect to waterworks plants and systems.

Committee on Municipalities and  
Municipal Organizations.

By Messrs. Johnson (Chambers), Faulkner and Bonner:

S. B. 646. To fix the salaries of certain officials and employees who are paid wholly or partly from State funds.

Committee on Finance and Taxation.

By Mr. Boutwell:

S. B. 647. Relating to the registration and purgation of voters in counties having a population of 400,000 or more according to the 1950 or any succeeding decennial Federal Census; providing for the selection and compensation of the chairman of the Board of Registrars; providing for meeting days of the Board of Registrars (for the registration and purgation of voters; conferring power on the Board of Registrars) to establish, alter and consolidate election districts and precincts and designate voting places and to manage and control its office, to employ clerks and personnel subject to the provisions of any Merit and Civil Service System Act having application in such county, and to be the appointing authority of all of its employees subject to the provisions of any such Merit or Civil Service System Act, and to divest the governing body of such county and the Judge of Probate of such county of all such powers, functions and duties; and providing that this Act shall supersede all laws and parts of laws in so far as such counties are concerned.

Committee on Local Legislation.

By Mr. McCary:

S. B. 648. Abolishing the Boxing and Wrestling Commission existing pursuant to Section 347 of Title 55, Code of Alabama 1940; and establishing in lieu thereof the State Boxing and Wrestling Commission, and prescribing the duties, power, authority, and compensation of members thereof.

Committee on Judiciary.

By Mr. McCary:

S. B. 649. To make appropriations for the use of the Trade School at Jacksonville, Calhoun County.

Committee on Finance and Taxation.

By Mr. Larkins:

S. B. 650. Relating to the municipality of Elba in Coffee County: To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Elba.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, and its passage sought to extend the corporate limits of the City of Elba, Alabama, from the present corporate limits thereof on the West, along the Elba-Opp paved highway, to-wit, one mile, to include area and territory lying along said highway and along Larkins Road from its intersection of said Elba-Opp paved highway, to-wit, 3-4 mile, to the intersection of said Larkins Road with Moore Mill Creek to include area and territory lying along said Larkins Road.

July 19-Aug. 9

#### AFFIDAVIT OF PUBLICATION

##### STATE OF ALABAMA COFFEE COUNTY

Before me, a Notary Public in and for said State and County, personally appeared Paul E. Cunningham who states on oath that he is the Publisher of The Elba Clipper, a newspaper published weekly at Elba, Ala., in said County and State, and that the Notice hereto attached was published in said newspaper for a period of four consecutive weeks on the following dates, to-wit:

July 19, 1951, July 26, 1951, August 2, 1951, August 9, 1951.

PAUL E. CUNNINGHAM.

Sworn to and subscribed before me on this the 16 day of August, 1951.

T. D. KENDRICK,  
Notary Public.

By Messrs. Johnson (Chambers), Boutwell, Faulkner, Phillips, Byars, Andrews and Wright:

S. B. 651. To make an additional appropriation to the State Board of Education for the physical restoration of crippled children.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. B. 652. To provide additional compensation for certain county officers in counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

Committee on Local Legislation.

#### REPORTS OF COMMITTEES

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dumas:

H. 317. To prescribe procedures for State of Alabama administrative agencies to follow in the exercise of rule, order, and decision-making authority, to provide for the judicial review of such administrative actions, and to repeal all laws and parts of laws in conflict herewith.

By Mr. Fite (Walker):

H. 110. To amend Section 96 of Title 61 of the Code of 1940.

By Mr. Fite (Walker):

H. 111. To amend Section 814 of Title 7 of the Code of Alabama of 1940 (Relating to judgments of affirmance on appeals.)

Mr. Foster, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Todd:

S. 627. Proposing an amendment to the Constitution of Alabama relating to Colbert County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Todd:

S. 638. To propose and provide for the submission of or amendment to the Constitution of Alabama; to validate certain local acts relative to Marion County, Alabama.

The above Bill was read a second time at length as required by the Constitution.

Mr. Foster, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Johnson (Chambers) (With amendment):

S. 619. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Chambers County, empowering the governing body of said County to levy and collect, for a period not exceeding twelve years, a special ad valorem tax on real and tangible personal property only, within said County, the proceeds of such tax to be used solely for acquiring, constructing and equipping public school buildings within said County, for paying the principal of and interest on bonds which may be hereafter issued by said County under the provisions of said proposed amendment, and for the redemption of said bonds, and providing for a county-wide election to authorize the levy of said tax, and providing for the issuance and sale of tax anticipation bonds of said County not constituting general obligations of said County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Foster, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Fite (Walker) and Black:

H. 988. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipi-

pality in Walker County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Walker County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above Bill was read a second time at length as required by the Constitution.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Faulkner:

S. 640. To exempt the gross proceeds of the sale of machines used in logging operations, pulpwood operations and milling of tangible personal property from computation of the amount of the sales tax levied, assessed or payable under the laws of Alabama.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Skidmore (With amendment):

S. 571. Creating the office of Deputy Circuit Solicitor in the Sixth Judicial Circuit; providing for his appointment, duties and compensation.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Boutwell (With substitute):

S. 481. To fix the salaries of the Second Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama; the Third Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama; the Fourth Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama; the Fifth Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama, and the Sixth Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boutwell:

S. 639. Relating to taxation; exempting real and personal property of Chambers of Commerce from all state, county and municipal taxes, licenses, fees and charges when such property is used in and about conducting, operating and carrying out the program, work, objectives, and policies of such organizations.

By Mr. Faulkner:

S. 424. To make an additional appropriation to the State Board of

Education in the sum of three thousand (\$3,000.00) dollars to be expended for regional education and to be paid out of any funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund.

By Messrs. Shelton and Morgan (Tuscaloosa):

H. 814. To make appropriations for the fiscal years 1951-52 and 1952-53 to provide facilities for a nurses' educational program at the Bryce Hospital.

By Mr. Brannan:

H. 316. To make appropriations for the fiscal years 1951-52 and 1952-53 to provide facilities for a nurses' educational program in the District Tuberculosis Sanatoria of the State of Alabama.

By Mr. Hollis:

S. 634. To amend Section XVI, subsections A and B of Act No. 386, approved August 8, 1951, General Acts of 1951.

By Messrs. Faulkner, Foster, Whatley, Jones, Richardson, Phillips, Smith and Norrell:

S. 635. To make a conditional appropriation to the Department of Conservation, Division of State Parks, Monuments and Historical Sites.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Faulk (With substitute):

H. 390. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended which relates to the term of office and compensation of members of county boards of equalization.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Selden:

H. 48. To create a State Bureau of Publicity and Information, transferring to it the functions, funds, jurisdiction, authority, personnel, property and effects of the Division of Records and Reports, providing for the appointment of a Director of Publicity and an advisory board, abolishing the office of Director of the Division of Records and Reports, conferring exclusive power upon the Bureau to plan and conduct all state programs of tourist advertising, and making an appropriation for that purpose.

By Messrs. Faulkner and Byars:

S. 610. To provide for the deposit of certain funds in the State Treasury to the credit of the Textbook Purchasing Board Account and to provide for the expenditure of funds deposited in that account.

By Messrs. Fite (Walker) and Kendall:

H. 908. Relating to exemptions of persons and property from ad valorem taxation; amending Section 2, Title 51, Code of Alabama, 1940, as amended.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCary (With amendment) (Without recommendation):

S. 604. Relating to schools; requiring courses of instruction in safe driving in the public high schools; making appropriations to effectuate the purposes of this Act.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pflieger, Miller, Merrill, Malone (Limestone) and Gallalee:

H. 416. To amend Section 831 of Title 51 of the Code of Alabama (1940), as amended, which relates to the procurement and form of licenses to engage in any business or do any act for which a license is required by law.

By Messrs. Leonard and Payne:

H. 452. To effectuate sick leave payments to teachers employed by the Alabama Institute for Deaf and Blind through reimbursements by the State Board of Education to the Alabama Institute for Deaf and Blind from the Minimum Program Fund for payments to substitute teachers employed to replace teachers absent on sick leave during the time the school is in session, and to authorize the State Board of Education to establish a sick leave plan for teachers employed by the Alabama Institute for Deaf and Blind, define sick leave, determine rate of reimbursements for substitute teachers who serve in the place of teachers on sick leave, limit the number of days of sick leave per teacher for which reimbursements may be made, and to make such other rules and regulations as may be necessary for the effective operation of this act.

By Mr. Scruggs:

H. 564. Relating to motor vehicles; providing that station wagons, jeeps, and similar vehicles kept for private use as passenger cars shall be taxed, rated, or classified as other passenger automobiles kept for private use.

By Messrs. Dawkins, Sellers, Hall and Tennille:

H. 694. To authorize a payment by the ABC Board from funds available to said Board for the relief of Charlie Hamilton of Montgomery, Alabama.

By Mr. Adams (Dale):

H. 544. To create a State Department of Public Welfare; to provide for a State Board of Public Welfare and to prescribe its powers and duties; to provide for the appointment of a Commissioner, as executive and administrative officer, and other employees; to authorize the allocation of Federal and State funds in a manner to provide equitable treatment of needy individuals in similar circumstances; to prescribe the duties, powers and responsibilities of the Department; to create county departments of public welfare and to describe their duties; to provide for county boards of public welfare and to prescribe their duties; to authorize county and city governing bodies to make other and further provisions for the needy; to define who is entitled to old age assistance, aid to the blind, aid to dependent children, and aid to the permanently and totally disabled; to provide for the method of making application, the determination of eligibility, and the amount of assistance; to authorize payment after death for the month in which the recipient dies; to define the obligations of persons applying for or receiving assistance; to define the rights of persons applying for or receiving assistance to appeal; to authorize state and county departments to subpoena witnesses; to authorize the State Department to develop standards of assistance and to further define the authority of the State Department; to provide penalty for false representation; to exempt assistance grants from taxes, levy, garnishment, or other process; to authorize old age assistance for eligible confederate



pensioners; to provide for payments over maximum in which the Federal government will share for hospital care for old age assistance applicants and recipients; to authorize county boards to review public assistance cases; to appropriate surplus and residue from the proceeds of the levy of the one mill tax for the relief of needy confederate soldiers and sailors and their widows; to provide for the severability of the provisions; and to provide for the time the Act shall take effect.

By Mr. Adams (Dale):

H. 545. To amend Act No. 255, H. 313, approved June 24, 1943, General Acts of Alabama, 1943, pp. 226-228), entitled "An Act to provide for the disposition and use of the profits, including all tax levied upon the selling prices of all spirituous or vinous liquors, less all cost and expense of collecting said tax, of the Alabama Liquor Stores operated under the Alcoholic Beverage Control Board of Alabama."

By Mr. Adams (Dale):

H. 546. To create a state public welfare trust fund, defining the receipts of the fund and providing for disbursements from the fund.

By Mr. Adams (Dale):

H. 547. To amend Title 51, Section 784, Code of Alabama, 1940, as amended, which relates to the disposition of the revenues from the sales tax.

By Messrs. Sellers and Hawkins (Etowah):

H. 273. To amend Section 343 of Title 55 of the Code of Alabama of 1940, relating to the appropriation for the State Board of Adjustment; to increase the amount appropriated for the payment of awards and expenses.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Edgar (without recommendation):

H. 701. To amend Section 1 of Act No. 288, S. 161, approved July 7, 1945 (General Acts of Alabama, 1945, page 478) entitled "An Act to provide Judicial Officers of the State; to designate them as Supernumerary Circuit Judges; to provide the conditions under which a Judge of the Circuit Court may become a Supernumerary Circuit Judge; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation, and the method of removal from office of such Supernumerary Circuit Judges, and to appropriate funds for the payment of such compensation."

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Golson (with notice and proof):

S. 609. To amend Section 5 of an Act approved December 17, 1894, entitled "An Act to establish a Board of Revenue of Lowndes County, Alabama and define the powers and duties of said Board of Revenue."

By Mr. Benson:

S. 615. To prescribe new, extra and additional duties for the Superintendents of Education in all counties of the state having a population of not less than 36,000 nor more than 39,000 according to the last or any subsequent census; to provide additional compensation for the performance of such new, extra and additional duties.

By Mr. Boutwell:

S. 616. To provide for the establishment and administration of Retirement Systems for county employees in counties having a population of 400,000 or more according to the last or any future federal census, and for the payment of benefits to the employees of such counties.

By Mr. Skidmore:

S. 617. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; increasing the jurisdiction of the inferior court of such counties and providing additional compensation for the judge thereof for the performance of the additional duties resulting from such increased jurisdiction.

By Mr. Locke (Choctaw) (with notice and proof):

S. 620. To impose extra, new, and additional duties upon the members of the County Governing Body of Clarke County, Alabama; and to provide additional compensation for the performance of such duties.

By Mr. Johnston (Mobile):

S. 621. To create in all cities in the State of Alabama, having a population of not less than seventy-eight thousand and not more than two hundred fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as "Municipal Employees Pension and Relief Funds;" to provide for the setting apart of such funds; to create a pension and relief system applicable to all municipal employees in such cities, except Policemen and firemen; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief; and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a capitol board of pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

By Mr. Johnston (Mobile):

S. 622. To authorize all cities or towns in the State of Alabama, having a population of 78,000 and not more than 200,000 according to the last or any subsequent Federal Census to make any compromise or settlement of any paving tax assessment or bill for past due tax on the paving of streets, boulevards or highways adjoining any property owned by any person, firm or corporation within the city limits of such city for such amount and on such terms as in the judgment of the city commission or other governing body may be deemed proper.

By Mr. Johnston (Mobile):

S. 623. To authorize all cities which now have or which may in the future have a population of not less than 78,000 and not more than 250,000 according to the last or any subsequent Federal Census, to use a portion of license taxes from fire insurance companies, and from general license

taxes collected, certain percentages sufficient to pay Policemen's and Firemen's Pensions that have been granted and which should be paid out of Pension and Relief Funds set up for them.

By Mr. Johnston (Mobile):

S. 624. To require the governing bodies of cities in this State, which according to the last or any subsequent Federal Census have a population of as much as 78,000 and not more than 250,000 inhabitants, before making final any assessment for any public or improvements, to cause the city clerk to mail a bill therefor to the owner of such property, as shown on the assessment roll or assessment book prepared in accordance with the provisions of Section 530 of Title 37 of the Alabama Code of 1940, and providing further that no defect or alteration in any such bill, nor error in addressing the same, or in the address of the owner, or mistake of the city clerk in sending the bill to the wrong address, nor failure of the owner or addressee to receive the same, shall affect or invalidate any such assessment, and providing that the certificate of the City Clerk appended to the assessment roll, or inserted in the assessment book, to the effect that such clerk has mailed bills in accordance with the requirements of this Act, shall in all courts and in all proceedings be taken and considered as prima facie establishing the fact of compliance herewith, and providing a penalty upon any city clerk who shall neglect to perform the duties herein required of him.

By Mr. Johnston (Mobile):

S. 625. Providing that in all cities in the State having a population of not less than seventy eight thousand and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

By Mr. Johnston (Mobile):

S. 626. To create in all cities in the State of Alabama having a population of not less than seventy eight thousand and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as "Policemen's and Firemen's Pension and Relief Funds" to provide for the setting apart of such funds, to create a Pension and Relief System applicable to the members of the Police and Fire Departments in said cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise: to provide payments for disabled members of the Police and Fire Departments in said cities during their disability, and for the retirement of such members on pension either by reason of term of office or disability; to provide for the pensioning of members of such Police and Fire Departments after service therein; to provide for the appropriation for funeral expenses upon the death of such member: to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds, and for the appointment of trustees and a board of pensions for all purposes in connection herewith; to provide penalties for violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or

provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

By Mr. Faulkner (with notice and proof):

S. 628. To amend Sections five, eight and eleven of an Act entitled An Act, to abolish the Board of Revenue of Baldwin County, Alabama to establish in lieu thereof a Commission form of Government for such County to consist of a Commission of four members and to be a Court of Record and to be known as the County Commission; to provide for the designation, appointment and election of the members thereof and prescribe and limit their duties, powers, jurisdiction, authority and privileges; and to authorize and direct them to distribute the duties, powers, jurisdiction, authority and privileges of such County Commission into four divisions as follows: First, Chairman and Purchasing Division; Second, Road and Bridge Division; Third, Finance and Taxation Division; Fourth, Industrial and Civic Division; to fix the qualification of the members of such Commission, their term of office and their compensation; and to divide the County of Baldwin into Four Commission Districts and to provide that members of such County Commission be designated, appointed or elected, one from each of said Commission Districts, approved May 29, 1931, Local Acts 1931, pages 100 et seq.

By Mr. Johnston (Mobile) (with notice and proof):

S. 629. To amend Section 467, Title 62 of the Code of Alabama of 1940.

By Mr. Johnston (Mobile) (with notice and proof):

S. 630. To amend Section 477, Title 62, Code of Alabama of 1940.

By Mr. Johnston (Mobile) (with notice and proof):

S. 631. To amend Section 476, Title 62 of the Code of Alabama of 1940.

By Mr. Johnston (Mobile) (with notice and proof):

S. 632. To amend Section 478, Title 62 of the Code of Alabama of 1940.

By Mr. Johnston (Mobile) (with notice and proof):

S. 633. To provide that all persons who contribute to the Municipal Employees Pension Fund of the City of Mobile provided by Sections 465 through 491, Title 62, Code of 1940 and who have contributed to such funds for at least one full year, shall, upon their voluntary or involuntary separation from employment under circumstances other than circumstances entitling them to benefits, be entitled to repayment from the pension and retirement of amounts contributed by such person to the fund after the date of passage of this Act.

By Mr. Fant:

S. 636. Relating to counties having populations of not less than 28,900 nor more than 29,200 inhabitants; authorizing and directing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

By Mr. McCary:

S. 637. To create and establish hospital commissions in counties having a population of not less than seventy-three thousand one hundred nor more than ninety-three thousand five hundred inhabitants; prescribing the duties, powers, and authority of such commissions.

By Mr. Summerlin:

H. 413. To amend Section 380 of Title 13 of the Code of Alabama (1940), which relates to the appointment of clerks in juvenile courts.

Mr. Locke (Perry), Chairman of the Standing Committee on Local

Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Tumlin and Thomason (with amendment):

H. 512. Relating to cities having a population of not less than twenty-nine thousand nor more than forty-five thousand inhabitants according to the preliminary count as of April 1, 1950 of the 1950 Federal Census or any subsequent federal census; providing for the allocation of the duties of the chairman and members of the city commission of such cities, and providing for their compensation.

By Messrs. Tumlin and Thomason (with notice and proof) (with amendment):

H. 641. Relating to the office of Sheriff of Calhoun County: Providing for the furnishing of necessary supplies, materials, and equipment to the Sheriff; relieving the Sheriff of the payment of certain court costs in cases in which he is a party defendant in his official capacity; relieving the Sheriff of liability for certain wrongful acts or omissions of his assistants; requiring the County to pay the premiums on the official bonds of the Sheriff and his assistants; authorizing the Sheriff to employ an attorney to advise and represent him and his assistants and providing for the payment of the compensation of such attorney; authorizing the Sheriff to appoint special deputies sheriff without expense to the County; and repealing Section 4 of No. 185, H. 498, approved July 24, 1947 (Local Acts of Alabama, 1947, page 101) as amended by Act No. 298, H. 798, approved July 28, 1949 (Acts of Alabama, 1949, page 434).

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Coburn:

H. 758. To propose an amendment to the Constitution of Alabama prohibiting the repeal by the Legislature of Act Number 485 adopted at the 1949 Regular Session of the Legislature, which levied a sales tax and a use tax in Colbert County, and prohibiting the amendment of said Act in any respect so as to alter the distribution of the revenues derived from said taxes, while there are outstanding any warrants heretofore or hereafter issued by any board of education in said county for the payment of which said revenues, or any share or part thereof, have heretofore or may hereafter be pledged.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Wilkins and Gallalee (with notice and proof):

H. 822. To authorize and require the City of Mobile to hereafter pay and reimburse the County of Mobile a portion of the cost of operating, maintaining and keeping in repair the Mobile County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons; to prescribe how Mobile County shall keep an account of such expenditures and present its claim therefor to the City of Mobile and the time of payment thereof by the City of Mobile; to prescribe a rule of evidence in any suit or suits hereafter brought by the County of Mobile against the City of Mobile to recover of the City of Mobile its proportionate part of any such expenditures; to provide how admissions to said hospital shall be made, and to repeal all laws in conflict herewith.

By Mr. Oden (with notice and proof):

H. 919. To fix the salary and prescribe the duties of the Solicitor of the Law and Equity Court of Franklin County, Alabama; and to amend

an act approved September 8, 1923, Local Acts of the Legislature of Alabama 1923, page 272, as amended by act approved April 15, 1936, General and Local Acts of the Legislature of Alabama of 1936, page 69, so as to conform to the provisions of this act.

By Messrs. Malone (Houston) and Solomon (with notice and proof):

H. 930. Relating to the Twentieth Judicial Circuit, which is composed of Houston and Henry Counties; fixing the compensation of the official court reporter of such circuit and providing for the payment thereof.

By Messrs. Butler, Weathers and Merrill (with notice and proof):

H. 947. To make it unlawful to hunt, take, catch, kill or to attempt to take, catch or kill pheasant or grouse in Clay, Cleburne or Randolph Counties; and prescribing penalties for violations of the Act.

By Messrs. Hawkins (Etowah), Miller, Shelton and Morgan (Tuscaloosa):

H. 960. To provide for meetings of the Board of Registrars in counties having a population of not less than eighty thousand nor more than one hundred fifty thousand inhabitants.

By Mr. Coburn (with notice and proof):

H. 981. To amend Section 12 of Act No. 131 adopted at the 1949 Regular Session of the Legislature of Alabama, approved June 23, 1949, (Acts of Alabama of 1949, Regular Session, Page 157), which Act created and established a Board of Revenue in and for Colbert County, Alabama.

By Messrs. Leonard and Payne (with notice and proof):

H. 982. To fix the compensation of the Tax Assessor of Talladega County for assessing and the Tax Collector of Talladega County for collecting municipal ad valorem taxes of motor vehicles for municipalities in Talladega County, Alabama, under Title 51, Section 704 of the Code of Alabama of 1940, as amended.

By Messrs. Leonard and Payne (with notice and proof):

H. 983. To fix the compensation of the Tax Assessor of Talladega County for assessing and the Tax Collector of Talladega County for collecting municipal ad valorem taxes in those municipalities in Talladega County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

By Messrs. Miller and Hawkins (Etowah):

H. 989. Relating to cities having a population of as many as 35,000 and less than 75,000 inhabitants; amending further the Act approved July 9, 1943, which created and established a retirement system for policemen and firemen of such cities (Act No. 379, H. 786, General Acts, 1943, p. 349).

By Messrs. Meeks, Davis, Beatty, Huey, Morgan (Jefferson), and Adams (Jefferson) (with notice and proof):

H. 990. To alter, rearrange and extend the boundaries of the City of Leeds.

By Messrs. Leonard and Payne (with notice and proof):

H. 992. To alter, rearrange and extend the boundaries of the City of Sylacauga in Talladega County.

By Mr. Brown (with notice and proof):

H. 984. To amend Sections 35 and 36 of an act entitled "An Act to provide for and regulate the assessment, levy and collection of Municipal taxes of the City of Opelika, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said City of Opelika, and to make the Tax Collector of Lee County, Alabama, ex-officio Collector of property taxes for the said City of Opelika," approved September 2, 1935.

By Mr. Brown (with notice and proof):

H. 985. To amend Section 36 of an Act entitled "An Act to provide for and regulate the assessment, levy and collection of municipal taxes of the City of Auburn, in Lee County, Alabama, and to define the duties of State, County and Municipal Offices and officers in regard thereto, and to fix the tax year for the said City of Auburn, and to make the Tax Collector of Lee County, Alabama ex-officio collector of property taxes for said City of Auburn.", approved July 17, 1935.

By Mr. Adams (Dale) (with notice and proof):

H. 993. Relating to the municipality of Ozark, in Dale County; to alter, rearrange and extend the boundaries of the City of Ozark.

Mr. High, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. High (without recommendation):

S. 618. To amend Sections 2, 3 and 6 of Act No. 500, of the Legislature of 1943, approved July 9, 1943, relating to bread, flour and corn meal enrichment, by requiring that corn meal shall be subject to the provisions of said act.

Mr. Robison, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Todd:

S. 514. Relating to executive committees of political parties; amending Section 341, Title 17, Code of Alabama (1940).

Mr. Benson, Vice-Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Eddins:

S. 613. An Act to be designated as Section 660 (1) of Title 51, Code of Alabama 1940, as amended, and to provide that it shall be unlawful to use gasoline and other motor fuels in the operation of a motor vehicle over the highways of this State upon which the excise tax levied upon said products has not been paid or assumed and to further provide that a violation of this Section shall constitute a misdemeanor punishable by a fine of not less than twenty-five dollars nor more than one hundred dollars, for each violation thereof.

Mr. Benson, Vice-Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Eddins (with substitute):

S. 614. To amend Sections (2), (8), (9), (10), (12), and (14) of an Act designated as No. 590, H. 392, General Acts of Alabama of 1939, Page 958, and entitled: "To impose an Excise Tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways: To define the term motor fuel as used herein: to fix the amount of such tax and to provide for the collection thereof: to provide penalties for the violation of this Act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax;

to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this Act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this Act; and to generally provide for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto." approved June 27, 1940.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 939. To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this Act," as amended by Act No. 440, General Acts of Alabama of 1949, page 647, approved August 23, 1949.

R. T. GOODWYN, JR.,  
Clerk.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in Session, has compared the following enrolled bills and resolutions with the engrossed and original bills and resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 235. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

S. 413. Proposing to amend further Section 284, Article XVIII, Constitution of Alabama (1901), which relates to the mode of amending the Constitution.

S. J. R. 69. Relative to naming Senate Bill 497.

S. J. R. 70. Relative to naming Senate Bill 418.

HERBERT B. BYARS,  
Chairman.



## SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

## RESOLUTION

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 71. BE IT RESOLVED BY THE SENATE, That when bills on third readings are reached on the Thirtieth Legislative Day that the following bills in order listed shall be special, paramount and continuing order of business preceding present Special Order:

Local bills and general bills of local application.

H. B. 263.....page 61

S. B. 612.....page 62

BE IT FURTHER RESOLVED, That the following bills in order listed shall be special, paramount and continuing order of business immediately following the consideration of the bills on the Special Order Calendar:

H. B. 569.....page 36

H. B. 442.....page 21

H. B. 573.....page 36

H. B. 93.....page 60

H. B. 92.....page 59

H. B. 94.....page 60

S. B. 158.....page 57

H. B. 724.....page 49

S. B. 582.....page 59

S. B. 575.....page 55

S. B. 66.....page 55

S. B. 596.....page 47

S. B. 515.....page 41

S. B. 583.....page 51

S. B. 597.....page 50

S. B. 344.....page 17

S. B. 525.....page 28

S. B. 586.....page 49

S. B. 254.....page 52

H. B. 566.....page 25

S. B. 558.....page 55

H. J. R. 95.....no page

And said Resolution was adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 958. To levy a privilege or license tax upon the sale, distribution delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 94,000 and not more than 110,000 according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of one and one-half cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the Probate Judge and distributed by him; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act.

R. T. GOODWYN, JR.,  
Clerk.

#### BILL REPORTED AND RE-REFERRED

Mr. Benson, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with the recommendation that it be re-referred to the Standing Committee on Finance and Taxation.

H. B. 475. To eliminate the reckless and irresponsible driver of motor vehicles from the highways of the State of Alabama; to provide for the giving of security and proof of financial responsibility by owners and operators of motor vehicles; to define words and phrases in said Act; to provide for the administration and enforcement of said Act by the Director of Public Safety of the State of Alabama and to prescribe his powers and duties; to provide for an operating record; to provide for appeals from his orders and decisions; to provide for the making of reports following a motor vehicle accident, and giving of security in case of a motor vehicle accident involving property damage in excess of \$50.00 or personal injuries to, or death of any person; to provide for certain exceptions where evidence of existing insurance is furnished; to provide certain further exceptions to requirements of the Act; to provide for the suspension of licenses and registration of motor vehicles, and duration thereof; to provide that the Act shall apply to non-residents, unlicensed drivers and unregistered motor vehicles and shall apply in certain instances to accidents in other states; to provide the form and amount of security; to provide for the custody, disposition and return of security; to provide matters not to be evidence in civil suits; to provide for reports on the non-payment of judgments; to provide for the suspension of licenses and registration for non-payment of judgments; to provide for the suspension until judgment paid or until proof given; to provide for the payment of judgments by installments; to provide for the proof required to be furnished upon certain convictions; to provide alternative methods of giving proof of financial responsibility, including a certificate of any insurance carrier that has in effect a motor vehicle liability policy; to provide certificates furnished by non-residents, owners of motor vehicles in the state; to define a **motor vehicle liability policy**; to provide for cancelation or termination of policies, and that this act shall not affect other policies; to provide for bond for proof of financial responsibility, amount of security, where deposited and type of security; to provide for money or securities as proof of financial responsibility; to prohibit a transfer of registration to defeat purposes of Act; to provide penalties for the violation of the provisions of this Act; to provide for surrender of licenses and registration; to provide for self-insurers; to provide Act not to apply to any motor vehicle owned by the United States, State of Alabama, or any political subdivision of this State, or any municipality; to provide that certain provisions of Act not to apply to certain motor vehicles subject to supervision and regulation of the Ala-

bama Public Service Commission; to provide certain powers and duties of the Superintendent of Insurance with respect to approval of plans for equitable apportionment among insurance companies of applicants for insurance who cannot obtain insurance by ordinary methods, and provide for appeals to the courts from decisions of said Superintendent of Insurance respecting such plans; to provide that this Act shall not prevent use of other process; to provide for uniformity of interpretation; to provide that if part of Act be held unconstitutional it shall not affect remaining parts of Act; to provide that this Act may be cited as the Motor Vehicle Safety-Responsibility Act; to authorize the Director of Public Safety, subject to provision of the Merit System, to appoint employees necessary to discharge the duties imposed by this Act; to declare that this Act is supplemental to the State Motor Vehicle Laws; to repeal Act No. 276, approved August 6, 1947, Acts 1947, Page 121, known as the Alabama Motor Vehicle Responsibility Act; to appropriate the sum of \$100,000.00 or so much thereof as may be necessary for the purposes set forth in this Act; to provide the effective date of this Act and a repeal of all acts and parts of acts in conflict herewith.

And said Bill was re-referred to the Standing Committee on Finance and Taxation.

### BILLS ON THIRD READING

The Bill:

H. 830. To levy an additional tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Walker County, Alabama, for any use gasoline as defined by Section 646 of Title 51 of the 1940 Code of Alabama, and to provide the method of collecting it and to prescribe and restrict the use to which it may be applied.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	Locke (Choctaw)	Richardson
Benson	Golson	Locke (Perry)	Skidmore
Boutwell	High	Norrell	Sollie
Clayton	Johnston (Mobile)	Phillips	Todd
Eddins	Jones	Quarles	Wright
Farmer	Larkins		

—21

Nays:

—0

The Bill:

H. 703. Relating to Blount County; creating a court of record, to be known as the Intermediate Court of Blount County; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge thereof and fixing his qualification, term, and compensation, prescribing his authority and duties, and providing for other officers of the court, and fixing the costs to be collected therein; abolishing the Inferior Court of Blount County and the County Court, and revoking certain powers of the probate court and the judge thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Benson	Byars	Eddins
Andrews	Boutwell	Clayton	Farmer

Foster	Johnston (Mobile)	Phillips	Smith
Golson	Larkins	Pinson	Sollie
High	Locke (Choctaw)	Reneau	Todd
Johnson (Chambers)	Norrell		

—21

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bills your signature thereto is requested.

H. J. R. 101. Relative to commending the Crippled Children's Clinic in Birmingham.

Also:

H. 939. To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this Act," as amended by Act No. 440, General Acts of Alabama of 1949, page 647, approved August 23, 1949.

Also:

H. 958. To levy a privilege or license tax upon the sale, distribution delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in counties having populations of not less than 94,000 and not more than 110,000 according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of one and one-half cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the Probate Judge and distributed by him; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act.

Also:

H. 703. Relating to Blount County; creating a court of record, to be known as the Intermediate Court of Blount County; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge thereof and fixing his qualification, term, and compensation, prescribing his authority and duties, and providing for other officers of the court, and fixing the costs to be collected therein; abolishing the Inferior Court of Blount County and the County Court, and revoking certain powers of the probate court and the judge thereof.

Also:

H. 830. To levy an additional tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Walker County, Alabama, for any use gasoline as defined by Section 646 of Title 51 of the 1940 Code of Alabama, and to provide the method of collecting it and to prescribe and restrict the use to which it may be applied.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution, the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Russell:

H. J. R. 108. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 21, 1951.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Boutwell, the Rules were suspended and the resolution, H. J. R. 108, was adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Meeks:

H. J. R. 110. Be It Resolved by the Legislature of Alabama, Both Houses Thereof Concurring:

1. That there is hereby created an Alabama "Hall of Fame" Board, to be composed of nine members named and appointed by the Governor on or before December 1, 1951, one from each Congressional District, to hold office during good behavior. Vacancies occurring on the Board shall be filled by the remaining members of the Board.

2. The Board shall consider for election to the Alabama Hall of Fame worthy citizens of Alabama who have rendered outstanding services or who have won fame on account of their achievements, and it shall elect to the Hall of Fame such persons who are nominated for election and who receive a minimum of 8 votes of the total membership of the Board.

3. The Board shall have authority to receive contributions, donations, and gifts; and the Director of the Department of Archives and History shall cause to be set apart in the Archives and History Building a section thereof to be used by the Board for display of busts, statues, or other

exhibits relating to persons who have been elected to the Alabama's "Hall of Fame."

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 110, set out in the foregoing Message from the House was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 274. Said report of said Conference Committee being in words and figures as follows:

#### REPORT OF COMMITTEE OF CONFERENCE ON DISAGREEMENT OF THE TWO HOUSES ON SENATE AMENDMENT TO H. B. 274

We, your undersigned Committee of Conference on disagreement of the two Houses on Senate amendment to the bill, H. 274, beg leave to report as follows:

1. That the House adopt the Senate amendment to the Bill.
2. That both Houses again pass said bill as amended by Senate amendment.

Respectfully submitted,

Conferees on Part of the House

CLYDE C. SELLERS,  
W. L. MARTIN, JR.,  
CHARLES ADAMS.

Conferees on Part of the Senate,

E. W. SKIDMORE,  
GRAHAM WRIGHT,  
J. B. RICHARDSON.

The vote being: Yeas 66, Nays 6.

And said bill:

H. 274. To amend Sections 60 and 61 of Title 36 of the Code of Alabama, 1940, which relate to the registration and licensing of drivers.

as amended by the report of the Committee of Conference was again read at length and passed by a vote of: Yeas 65; Nays 6.

And said bill, together with the Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Wright, the Senate concurred in and adopted the foregoing report of the Committee on Conference on the disagreement

of the two Houses on the Senate amendment to the bill, H. B. 274, the title of which is set out in the foregoing Message from the House.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Foster	Locke ( <i>Perry</i> )	Robison	
Andrews	High	McCary	Skidmore	
Benson	Hollis	Norrell	Smith	
Boutwell	Johnson ( <i>Chambers</i> )	Phillips	Sollie	
Byars	Johnston ( <i>Mobile</i> )	Pinson	Todd	
Clayton	Jones	Quarles	Whatley	
Farmer	Larkins	Richardson	Wright	
Faulkner	Locke ( <i>Choctaw</i> )			—29

Nays: —0

And said bill, H. B. 274, as amended by the Conference Report, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke ( <i>Choctaw</i> )	Robison	
Andrews	Foster	McCary	Skidmore	
Benson	High	Norrell	Smith	
Boutwell	Hollis	Phillips	Sollie	
Byars	Johnston ( <i>Mobile</i> )	Pinson	Todd	
Clayton	Jones	Quarles	Whatley	
Eddins	Larkins	Richardson	Wright	
Farmer				—28

Nays: —0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 781, said Governor's message being in words and figures, to-wit:

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning to you House Bill 781 with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 17, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 781, with a suggested executive amendment, as follows:

Amend House Bill No. 781 by striking therefrom Section 2 in its entirety and substituting in lieu thereof Section 2, to read as follows:

"Section 2. The member of the Board for District 1 shall be elected at the general election in 1952 and every four years thereafter; members of the Board for Districts 3 and 4 shall be elected at the general election in 1954 and every four years thereafter; and the member of the Board for District 2 and the Chairman of the Board shall be elected at the general election in 1956 and every four years thereafter. The persons holding office as members or chairman of the Board, on the effective date of this Act, shall continue in office until their respective terms expire."

The above suggested amendment is made at the request of the authors of the bill.

Respectfully,  
GORDON PERSON,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 781 by a vote of Yeas 66, Nays 0, which was a majority of the whole number elected to the House and said bill:

H. 781. Relating to Clarke County; providing for the election of the members and chairman of the county board of education, with the members to be elected by districts and the chairman to be elected at large.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 71, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Locke (Choctaw), the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 781, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Reneau	
Andrews	Foster	Locke (Perry)	Skidmore	
Benson	High	Norrell	Sollie	
Boutwell	Johnson (Chambers)	Phillips	Todd	
Byars	Jones	Quarles	Whatley	
Eddins	Larkins			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.



**Yeas:**

<b>Messrs.:</b>	Farmer	Phillips	Smith	
<b>Andrews</b>	Hollis	Pinson	Sollie	
<b>Benson</b>	Johnston ( <i>Mobile</i> )	Reneau	Todd	
<b>Boutwell</b>	Jones	Richardson	Whatley	
<b>Byars</b>	Larkins	Skidmore	Wright	
<b>Eddins</b>	Locke ( <i>Choctaw</i> )			—21

**Nays:** —0

Which was a majority of the whole number elected to the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 590, said Governor's message being in words and figures as follows, to-wit:

### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 590, with a suggested executive amendment.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

August 17, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 590, with a suggested executive amendment, as follows:

Amend Section 3 of House Bill No. 590 by adding immediately after the words "each associate member of the Board shall receive \$400", wherever they appear in said section, the words "per annum".

The suggested amendment is made at the request of the author of the bill.

Respectfully,  
GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 590 by a vote of Yeas 67, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 590. To impose additional duties upon the chairman and associate members of the Board of Revenue of DeKalb County, Alabama, and providing additional compensation therefor.

as amended by the amendment proposed by His Excellency, the Gover-

nor, was again read a third time at length and passed by a vote of Yeas 68, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Smith, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 590, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Smith	
Andrews	Farmer	Pinson	Sollie	
Benson	Faulkner	Quarles	Todd	
Boutwell	Foster	Reneau	Whatley	
Byars	Golson	Richardson	Wright	
Clayton	High			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Smith	
Andrews	Farmer	Pinson	Sollie	
Benson	Faulkner	Quarles	Todd	
Boutwell	Foster	Reneau	Whatley	
Byars	Golson	Richardson	Wright	
Clayton	High			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Morgan (Jefferson):

H. 802. Proposing an amendment to the Constitution of Alabama: to prohibit the Legislature and every county, municipality or other political subdivision of the State from increasing the salary, fees or compensation of any officer of the State or of any county, municipality or other political subdivision of the State, who is elected or appointed for a fixed term, during the term for which he is elected or appointed.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 802—To the Committee on Constitution and Constitutional Revision and Amendments.

The above bill was read at length as required by the Constitution.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

## HOUSE JOINT RESOLUTION NO. 105

By Messrs. Shelton, Faulk, and Kendall:

WHEREAS it is our desire that all worthy and eligible old people receive the greatest benefits that the State of Alabama can provide them through cooperation with our Federal Government; and

WHEREAS, a bill was introduced in the present session of the Legislature that is recommended to provide greater benefits for such old people and said bill reached the Ways and Means Committee too late for the Committee to properly work out the necessary details and make carefully considered recommendations, and

WHEREAS we are advised that several other states have adopted similar changes in the distribution of old age assistance, and these changed systems are reported to be working satisfactorily and to the advantage of such old people, now therefore

Be It Resolved by the House of Representatives, the Senate Concurring:

That the Speaker of the House shall appoint three members of the House to serve with two members of the Senate appointed by the President of the Senate to study these changes and make recommendations to the Legislature, not later than the tenth legislative day of the next regular legislative session.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Shelton, Chairman, Faulk and Kendall.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 105, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

## HOUSE JOINT RESOLUTION NO. 109

By Mr. Merrill:

BE IT RESOLVED by the House of Representatives the Senate concurring that Senate Bill No. 235 be known and designated as the Pinson,

Golson, Bonner, Quarles, Locke (Choctaw), Locke (Perry), Johnston, Andrews, Sollie, Byars, Eddins, High, Foster, Thagard and Givhan Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Clayton, the Rules were suspended and the Resolution, H. J. R. 109, set out in the foregoing Message from the House, was adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

#### HOUSE JOINT RESOLUTION NO. 106

By Mr. Adams (Tallapoosa):

Whereas, since the attack upon the Republic of South Korea by Communist forces there has been a valiant defense of that republic by substantial components of the military services of the United States, and

Whereas, hundreds of our fellow citizens of Alabama who were members of the Army and Air Force Reserves, individually and as units, have been recalled to active duty and have taken their places alongside other fighting men and women of the Regular Army and Air Force in this defense against aggression, and

Whereas, these Alabamians moved by the highest motives of patriotism and devotion to their country and way of life joined the reserve units of the Army and Air Force of the United States and are now in action throughout the world, and

Whereas, it is appropriate that the Legislature of Alabama extend to all such reservists from Alabama the deep appreciation and understanding of our people for the service which each of them is performing, now therefore

Be It Resolved by the House of Representatives, the Senate Concurring:

1. The members of the Legislature of Alabama for themselves and on behalf of the people of Alabama extend to all such reservists from Alabama now on active duty in the Armed Forces their deep appreciation for the services they are rendering and their best wishes for their safety and welfare.

2. The Clerk of the House of Representatives is directed to release a copy of this resolution to the press.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Foster, the Rules were suspended and the Resolution, H. J. R. 106, set out in the foregoing Message from the House, was adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Edgar:

H. 951. Relating to the assessment of taxes; amending Sections 39, 40, 41, 42, and 43 of Title 51, Code of Alabama (1940).

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 951—To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Adams (Jefferson):

H. 794. To amend Act No. 531 of the General Acts of Alabama of 1947, (1947 Acts page 388), to designate fees, compensation for Registrars in all Counties in the State of Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 794—To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Meeks:

H. 848. To amend Section 342, Title 15, Code of Alabama (1940), which relates to the imposition by the court of a sentence to additional hard labor in cases in which the accused is convicted and the costs are not presently paid.

Also:

By Mr. Romine:

H. 896. To amend Section 4 of Act No. 275, approved July 26, 1951, entitled "An Act regulating the business of selling, distributing, storing or transporting liquefied petroleum gases; To regulate the design, construction, location, installation and operation of containers, tanks, systems and equipment for storing, utilization, handling and transporting liquefied petroleum gases; to create the Alabama Liquefied Petroleum Gas Commission and define its duty and authority; to provide for permits,

permit fees and insurance and bond requirements of persons engaged in the businesses defined in this Act; to provide for a minimum amount of storage of liquefied petroleum gas by persons engaged in businesses defined in this Act; to provide penalties for the violation of this Act and any rule, or order promulgated pursuant hereto and to provide for the effective date of this Act", said Act being known as the "Alabama Liquefied Petroleum Gas Act".

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 848—To the Committee on Judiciary.

H. B. 896—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Dawkins, Hall, Tennille and Sellers:

H. 77. Relating to the education of handicapped children: providing for their training in the public schools; authorizing their admittance to school upon reaching the age of three years; providing for the issuance of teachers' certificates to persons trained in the education of such children and providing that teachers who have had specialized training in teaching such children shall be given credit for such training in determining their compensation; and providing for the payment of the costs of transporting such children to and from school in cities; authorizing the State Board of Education to expend funds for the care of such children of the "custodial type" and making an appropriation therefor.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 77—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 528. Relating to Tuscaloosa County: Authorizing and requiring the governing body of Tuscaloosa County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall, subject to the county civil service system, select, fix the compensation of, and have the right to discharge their respective clerks, deputies and assistants; providing that the maximum amount of the combined salaries of clerks, deputies and assist-

ants in each of such offices shall be determined by the county governing body; and providing that the salaries and compensation provided under the provisions hereof shall be in lieu of all other compensation.

Also:

S. 542. Relating to counties having populations of not less than 80,000 nor more than 94,000 inhabitants; providing for the furnishing of equipment, supplies, clerks, deputies and other assistants for certain county officers in such counties.

Also:

S. 543. To amend Section 2 of Act No. 436, H. 852, approved September 25, 1947 (General Acts of Alabama, 1947, page 316), which provides for a chief clerk for the circuit solicitor in all judicial circuits composed of only two counties, one of which counties is divided into two judicial divisions, and having only two judges.

Also:

S. 570. Relating to cities having a population of not less than 35,000 nor more than 55,000 inhabitants; authorizing such cities to levy and collect privilege license taxes on the sale of malt or brewed beverages within their police jurisdictions at the same rate as such taxes are levied within their corporate limits.

Also:

S. 544. Relating to county courts in counties having a population of not less than 80,000 nor more than 94,000 inhabitants; imposing extra, new, and additional duties upon the judges of such courts, and providing additional compensation for the performance thereof.

Also:

S. 549. Relating to the office of circuit clerk of any county having a population of not less than 63,750 nor more than 72,500 inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the United States; fixing the salary of the circuit clerk and providing for his clerical assistance, supplies, and office space.

Also:

S. 550. Relating to counties having populations of not less than 63,750 nor more than 72,500 inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the United States; fixing the compensation of the Sheriff of any such county.

Also:

S. 551. Authorizing and directing the governing body of Lawrence County to make an appropriation for the relief of W. K. Cartee.

Also:

S. 552. To amend Act No. 84 of Local Acts of 1947 page 60, entitled "An Act to allow the Sheriff of Lawrence County, Alabama, an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments" to provide that the additional deputy sheriff provided for by said Act shall receive a salary of not less than \$1800.00 nor more than \$2400.00 per annum, to be paid in twelve equal monthly installments out of the General Funds of Lawrence County, Alabama.

Also:

S. 554. Relating to the circuit solicitor of judicial circuits having two judges and being composed of only two counties, one of which has a population of not less than seventy-three thousand one hundred nor more than ninety-three thousand five hundred; providing him with a chief clerk; prescribing the duties, powers, functions, compensation and method of selection of such clerk; and providing for a travel allowance for such solicitor.

Also:

S. 568. Relating to counties which have populations of not less than 30,000 nor more than 33,500 inhabitants, according to the 1950 or any subsequent decennial census of the United States, and two courthouses; providing for the appointment of a deputy sheriff in addition to the chief deputy in the office of the sheriff, and to provide for the payment of his compensation.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 517. Relating to Jefferson County: To amend Section 6, of Act No. 536, S. 365, approved October 2, 1947, 1947 Local Acts, page 359, which relates to the collection of delinquent court costs and fees in Jefferson County.

Also:

S. 556. Relating to counties having a population of not less than sixty-four thousand nor more than seventy-nine thousand inhabitants; to fix the compensation of the coroner.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Stokes:

H. 1017. Relating to counties which have populations of not less than 30,000 nor more than 33,500 inhabitants, according to the 1950 or any subsequent decennial census of the United States, and two courthouses; providing for the appointment of deputies or clerks in the offices of the tax assessor, tax collector, and circuit clerk of such counties and to provide for the payment of their compensation.

Also:

By Messrs. Gallalee, Pfleger and Wilkins:

H. 972. To further regulate primary and general elections of Circuit Judges in the 13th Judicial Circuit of the State of Alabama.

Also:



By Messrs. Adams (Jefferson), Huey and Beatty:

H. 880. To apply only in cities having a population of more than 250,000 inhabitants according to the last Federal Decennial Census, or any subsequent Federal Decennial Census; to authorize and empower the City Commission or other governing body of any city having a population of more than 250,000 inhabitants according to the last Federal Decennial Census or any subsequent Federal Decennial Census to contract for and obtain, either by changes or modifications in existing group insurance policies issued under the authority of Act No. 376, General Acts of Alabama, 1947, Page 267, approved August 16, 1947, or by new or substituted group policies issued under authority of said Act, group life, health, accident and hospitalization insurance, or any one or more of said types or forms of such group insurance, for the benefit of the members of said City Commission or other governing body of said City, which shall provide that any member of such City Commission or other governing body of said City electing to become insured under any such group policy during his tenure of office may remain covered and insured under any such policy after retiring or otherwise vacating his office as a member of such City Commission or other governing body of said City, provided he agrees, and said policy or policies provide, that the maintenance and continuation of such insurance shall henceforth be at his sole cost and expense and without any cost or expense to said City; to provide that no such changed, modified, new or substituted policy or policies shall operate to alter or impair benefits or rights conferred upon other officials or employees of said City insured under any such group policy heretofore issued under the authority of said Act No. 376; and to provide that this Act shall not be construed to authorize any such city or governing body thereof to anticipate or participate in anticipating payment of premiums on any such group policy for or on behalf of any member of the governing body thereof, before such premiums become due, nor to fully pay up or participate in fully paying up all premiums on any such policy so as to make same a fully paid up policy for or on behalf of any such member of such governing body prior to or at the time of his retirement from such governing body.

Also:

By Messrs. Adams (Jefferson), Kaul, Meeks, and Morgan (Jefferson):

H. 978. To define, regulate and license barbers and barber colleges, and other like businesses in counties of the State of Alabama having a population of four hundred thousand or over, according to the last or any subsequent Federal Census; to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Also:

By Messrs. Kaul, Meeks, Beatty, Huey, Morgan (Jefferson) and Adams (Jefferson):

H. 991. To levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act.

Also:

By Mr. Oden:

H. 999. Relating to Franklin County: To fix the compensation of the Coroner.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF FRANKLIN

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Franklin County: To fix the compensation of the Coroner.

Be It Enacted by the Legislature of Alabama:

Section 1. The Coroner of Franklin County shall receive an annual salary of three hundred dollars (\$300.00), payable in equal monthly installments as the salaries of other county employees are paid, which salary shall be in lieu of all other compensation.

Section 2. All fees, commissions, allowances, percentages, charges and costs heretofore collected for the use of the Coroner shall be collected and paid into the general fund of the county.

Section 3. This Act shall become effective on the first day of the month immediately following its passage and approval by the Governor, or its otherwise becoming a law.

7 12 4tc

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. C. Giles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1951.

M. C. GILES.

Sworn to and subscribed before me August 7, 1951.

J. B. WEATHERFORD,  
Notary Public.

My Commission Expires Feb. 16, 1952.

Also:

By Mr. Thomason:

H. 963. For the relief of H. T. Scarborough.

Also:

By Messrs. Shelton and Meeks:

H. 795. To apply only in counties in which the Tax Assessor is compensated on a salary basis; prohibiting the Tax Assessor from charging

or receiving any fee for serving on any taxpayer any notice of an order issued by the Department of Revenue or the County Board of Equalization.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1017, 972, 880, 978, 991 and 999—To the Committee on Local Legislation.

H. B.'s 963 and 795—To the Committee on Finance and Taxation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Coburn:

H. 1001. To propose and provide for the submission of an amendment to the constitution of Alabama; to authorize each of the municipalities in Colbert County, Alabama to acquire and equip properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural and manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize such municipalities to lease such properties subject to certain specified requirements; to authorize such municipalities to finance the acquisition and equipment of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the amendment; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for trust funds and for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof; and to provide that publication of any proceedings hereunder is not required.

Also:

By Mr. Fite (Marion):

H. 1009. To propose and provide for the submission of an amendment to the constitution of Alabama; to authorize each of the municipalities in Marion County, Alabama to acquire and equip properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural and manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and

industry; to authorize such municipalities to lease such properties subject to certain specified requirements; to authorize such municipalities to finance the acquisition and equipment of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the amendment; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for trust funds and for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof; and to provide that publication of any proceedings hereunder is not required.

Also:

By Messrs. Leonard and Payne:

H. 1004. To alter and rearrange the corporate limits of the City of Sylacauga in Talladega County, Alabama, by excluding from the corporate limits of said city certain territory, and also by extending the corporate limits of said City to include certain other territory:

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### To Whom It May Concern:

Notice is hereby given that a bill will be introduced for passage at the 1951 session of the Legislature of Alabama, the substance of which said bill is as follows:

#### A BILL TO BE ENTITLED AN ACT

To alter and rearrange the corporate limits of the City of Sylacauga in Talladega County, Alabama, by excluding from the corporate limits of said city certain territory, and also by extending the corporate limits of said City to include certain other territory:

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Sylacauga in Talladega County, Alabama, be, and the same are hereby, rearranged and altered by excluding from the corporate limits of said City the following territory, to-wit:

East half of Southeast quarter of Section 36, Township 21 South, Range 4 East, in Talladega County, Alabama,

and that the corporate limits of said City be, and the same are hereby, rearranged, altered, and extended by including in the corporate limits of said City the following territory, to-wit:

East half of Southeast quarter of Section 36, Township 21 South, Range 3 East, in Talladega County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor.

Attest:  
C. J. JOHNSON, JR.  
City Clerk

ED J. HOWARD,  
Mayor.  
7-19 4tc

STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the Sylacauga Advance a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: July 19 1951, July 26 1951, August 2 1951, August 9 1951.

W. A. MOODY.

Subscribed and sworn to before me this 6th day of August 1951.

HENRY TURNEY,  
N. P.

Also:

By Mr. Hawkins (DeKalb):

H. 1005. To amend and extend the corporate limits of the city of Fort Payne, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE!

Notice is hereby given that at the 1951 regular session of the Legislature of Alabama a local act will be introduced and application for its passage and enactment into law will be made. Said local act being in substance as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To amend and extend the corporate limits of the city of Fort Payne, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Corporate Limits of the City of Fort Payne, Alabama, shall be amended and extended to include within said City the following additional territory:

Commencing on the present corporate limits at the intersection of the west line of Section 9, Township 7, Range 9 East with the West right-of-way of the Old Fort Payne and Eastern Railroad; thence Northeastward with said right-of-way to its intersection with the East line of SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 4, Township 7, Range 9 East; thence North with the center line of said Section 4, and to the NE corner of NW  $\frac{1}{4}$  of said Section; thence West with the North line of Section 4 and to the present City limits at the NE corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4, Township 7, Range 9 East; thence following the present City limits, Southward as follows:

South 46 degrees East, 1328 feet and to the West line of Godfrey Avenue; thence with the West line of Godfrey Avenue as follows:

South 47 degrees W. 625 feet, South 45 degrees West, 2517 feet and to the West line of Section 4, Township 7, Range 9 East; thence South with

the West line of said Section and continue South with the West line of Section 9, Township 7, Range 9 East, and to the point of beginning.

Section 2. This Act shall take effect on its passage and approval by the Governor.

6-20-4t

STATE OF ALABAMA  
DEKALB COUNTY

Before me, the undersigned authority in and for said County and State, this day personally appeared J. A. Downer, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was the owner and publisher of The Times-New Era, a weekly newspaper of general circulation, published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks, without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, 1951.

J. A. DOWNER.

Sworn to and subscribed before me this 7th day of August 1951.

MAX J. HOWARD,  
Notary Public.

Also:

By Mr. Fite (Marion):

H. 1010. Relating to counties having a population of not less than twenty-seven thousand one hundred fifty nor more than twenty-eight thousand eight hundred inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a division of any such county into forest-protection districts; imposing extra, new and additional duties upon the president or chairman and members of the county governing body with respect to such districts, and providing additional compensation for the performance of such additional duties.

Also:

By Messrs. Pfleger, Gallalee and Wilkins:

H. 1014. To abolish the process of garnishment in aid of pending suits in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, the provisions of which Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the Civil Division of the Inferior Criminal Court of Mobile County, Alabama, and to repeal or declare inoperative all laws or parts of laws in conflict therewith.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Local Bill will be offered for introduction and passage at the present 1951 Session of the Legislature of Alabama, providing in substance as follows, viz:

A BILL  
TO BE ENTITLED  
AN ACT

To abolish the process of garnishment in aid of pending suits and on judgments in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, the provisions of which Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mo-

bile County, Alabama, nor to the Civil Division of the Inferior Criminal Court of Mobile County, Alabama, and to repeal or declare inoperative all laws or parts of laws in conflict therewith.

Be It Enacted by the Legislature of Alabama:

Section 1. That the process of garnishment in aid of pending suits and on judgments in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, is hereby abolished.

Section 2. The provisions of this Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the Civil Division of the Inferior Criminal Court of Mobile County, Alabama.

Section 3. All process of garnishment in aid of pending suits and on judgments, or any attempt to institute such process, in courts of Justices of the Peace in Mobile County, Alabama, shall be absolutely void and of no effect.

Section 4. That this Act shall not apply to the process of garnishment on any judgments rendered in courts of the Justices of the Peace in Mobile County, Alabama, prior to the date of this Act becoming a law.

Section 5. That all laws and parts of laws, general, special or local, in conflict herewith, be and the same are hereby repealed or declared inoperative as to Mobile County in this state.

Section 6. That this Act shall be effective and in force on and after its passage, and approval by the Governor, or its otherwise becoming a law.

Register, June 20, 27, July 4, 11

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register June 20, 27, July 4, 11 1951.

W. M. CURRAN.

Sworn to and subscribed before me This 18th day of July 1951.

ALVIN A. JOHNSON,  
Notary Public.

Also:

By Mr. Brannan:

H. 1015. To amend Section 2 of an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof, and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only

during the term of office of the sheriff appointing such deputy, approved May 28, 1931, reported, Local Acts Alabama 1931, pages 83-84.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
ENTITLED  
AN ACT

To amend Section 2 of an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof, and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only during the term of office of the sheriff appointing such deputy, approved May 28, 1931, reported, Local Acts Alabama 1931, pages 83-84.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of an act, entitled an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund, to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only during the term of the office of the Sheriff appointing such deputy, approved May 28, 1931 reported, Local Acts Alabama, 1931, pages 83-84, be amended to read as follows: "Section 2. That any surplus now in or that hereafter accumulates in the Fine and Forfeiture Fund of Baldwin County, after the payments of all other claims and demands now or hereafter chargeable against such fund, not to exceed Forty-eight Hundred Dollars (\$4800.00) a year, is hereby appropriated to the payment of the salaries of deputy sheriffs, not to exceed two, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of Baldwin County, such additional deputy sheriff's salaries to be paid in monthly installments of not exceeding Two Hundred



Dollars (\$200.00) to each deputy; provided that if during any calendar year the surplus of such Fine and Forfeiture Fund shall not be sufficient to pay the salaries of such deputy sheriffs, any surplus thereafter accumulating in said fund in the succeeding year or years shall be applied to any deficiency in such salaries for the previous calendar year or years, but only for the term for which the sheriff appointing such deputies is elected or appointed, and that no deficiency in such Fine and Forfeiture Fund accruing under any sheriff's administration shall be chargeable against any surplus of such fund accumulating subsequent to the term of such sheriff in whose administration such deficiency occurs. The deputy's salaries herein provided for shall be paid by warrant drawn on such fund in the same manner as other claims are paid out of the said fund."

Section 2. That all laws or parts of laws, general, local or special in conflict herewith are repealed.

Section 3. This act shall go into effect immediately upon passage and approval by the Governor, or upon its otherwise becoming a law.

25-2tc.

### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of a Bill—Fine & Forfeiture Fund Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 12, 1951 Vol. 62 No. 25

Date of 2nd publication July 19, 1951 Vol. 62 No. 26

Date of 3rd publication July 26, 1951 Vol. 62 No. 27

Date of 4th publication Aug. 2, 1951 Vol. 62 No. 28

Subscribed and sworn before the undersigned this 3 day of Aug., 1951

DOROTHY MARTIN

Notary Public, Baldwin County.

JIMMY FAULKNER,  
Publisher.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1001 and 1009—To the Committee on Constitution and Constitutional Revision and Amendments.

The above bills were read at length as required by the Constitution.

H. B.'s 1004, 1005, 1010, 1014 and 1015—To the Committee on Local Legislation.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 263. To make annual appropriations for the support, maintenance,

and development of public education in Alabama for each of the fiscal years ending September 30, 1952, and September 30, 1953, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind, and for the Teachers' Retirement System.

was taken up.

Messrs. Andrews, Johnson (Chambers) and Smith offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. 263

Amend Section 4 of H. B. 263, by striking the words and figures "the sum of \$55,635,000.00 and \$57,565,000.00" and substituting in lieu thereof the words and figures "the sum of \$57,885,000.00 and \$59,815,000.00," and by adding at the end of said section the following: "Provided that there shall be granted a minimum increase in yearly compensation to Public Elementary and High School Teachers in the sum of four hundred dollars and any county or city board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund."

And on motion of Mr. Boutwell, said amendment was laid on the table.

Yeas 24; Nays 8.

Yeas:

Messrs.:	Faulkner	McCary	Richardson
Benson	High	Norrell	Robison
Bonner	Hollis	Phillips	Skidmore
Boutwell	Johnston (Mobile)	Pinson	Sollie
Byars	Jones	Quarles	Whately
Clayton	Larkins	Reneau	Wright
Farmer			

—24

Nays:

Messrs.:	Foster	Locke (Choctaw)	Smith
Andrews	Johnson (Chambers)	Locke (Perry)	Todd
Eddins			

—8

Messrs. Andrews, Johnson (Chambers) and Smith offered the following amendment to the bill, to-wit:

#### AMENDMENT TO H. B. 263

Amend Section 4 of H. B. 263, by adding at the end of said Section the following: "Provided further, that any other funds not appropriated by this Act in the Treasury to the credit of the Alabama Special Educational Trust Fund and the Alabama Special Educational Trust Fund Surplus Account after the payment of all appropriations now made payable from said funds for each of the fiscal years ending September 30, 1952, and September 30, 1953, not exceeding \$2,250,000 is hereby appropriated to the State Board of Education to be used by the State Board of Education to pay an additional sum to each person who receives a salary from the Minimum Program Fund, provided, however, that each such person receiving the additional sum provided for herein shall perform the duties of his position for the entire school year, and said sum shall be divided equally among such eligible persons; and provided further that such additional sum or any part thereof may be paid to the State Board of Education and paid by it to such persons as provided herein on or after July

1 in either fiscal year if it is determined by the Director of Finance that such sum is available at such time and would constitute a surplus at the end of the fiscal year."

And on motion of Mr. Boutwell said amendment was laid on the table.

Yeas 24; Nays 9.

Yeas:

Messrs.:	Faulkner	Larkins	Reneau
Benson	Golson	McCary	Richardson
Bonner	High	Norrell	Skidmore
Boutwell	Hollis	Phillips	Sollie
Byars	Johnston (Mobile)	Pinson	Whatley
Clayton	Jones	Quarles	Wright
Farmer			

—24

Nays:

Messrs.:	Foster	Locke (Perry)	Smith
Andrews	Johnson (Chambers)	Robison	Todd
Eddins	Locke (Choctaw)		

—9

Messrs. Smith, Johnson (Chambers) and Andrews offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. 263

Amend Section 4 of H. B. 263, by striking the words and figures "the sum of \$55,635,000.00 and \$57,565,000." and substituting in lieu thereof the words and figures "the sum of \$56,760,000.00 and \$58,690,000.00," and by adding at the end of said section the following: "Provided that there shall be granted a minimum increase in yearly compensation to Public Elementary and High School Teachers in the sum of three hundred fifty dollars and any county or city board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund."

And on motion of Mr. Faulkner, said amendment was laid on the table.

Mr. McCary offered the following amendment to the Bill, to-wit:

Amend H. B. 263

By adding to Section 10 Subsection c the following:

Disbursement to the Calhoun County Board of Education for maintenance of trade school at Jacksonville, Alabama. \$15,000 and by adding \$15,000 to the total in this subsection c.

And on motion of Mr. Boutwell said amendment was laid on the table.

Yeas 23; Nays 8.

Yeas:

Messrs.:	Eddins	Johnston (Mobile)	Richardson
Benson	Farmer	Jones	Robison
Bonner	Faulkner	Larkins	Skidmore
Boutwell	Foster	Norrell	Sollie
Byars	High	Phillips	Whatley
Clayton	Hollis	Pinson	Wright

—23

*Nays:*

Messrs.:	Locke ( <i>Choctaw</i> )	McCary	Smith
Andrews	Locke ( <i>Perry</i> )	Quarles	Todd
Johnson ( <i>Chambers</i> )			

—8

And said Bill, H. B. 263, was then read a third time at length and passed.

Yeas 32; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Larkins	Richardson
Andrews	Foster	Locke ( <i>Choctaw</i> )	Robison
Benson	Golson	Locke ( <i>Perry</i> )	Skidmore
Bonner	High	McCary	Smith
Boutwell	Hollis	Norrell	Sollie
Byars	Johnson ( <i>Chambers</i> )	Phillips	Todd
Clayton	Johnston ( <i>Mobile</i> )	Pinson	Whatley
Eddins	Jones	Quarles	Wright
Farmer			

—32

*Nays:*

—0

## RECESS

At 1:15 P. M., on motion of Mr. Clayton, the Senate took a recess until 2:30 o'clock this afternoon.

## AFTERNOON SESSION

## THIRTIETH LEGISLATIVE DAY

FRIDAY, AUGUST 17, 1951

The Senate reassembled at 2:30 o'clock P. M., Lieutenant-Governor Allen presiding.

## ROLL CALL

## Present:

Messrs.:	Farmer	Johnston ( <i>Mobile</i> )	Richardson
Andrews	Faulkner	Larkins	Robison
Benson	Foster	Locke ( <i>Choctaw</i> )	Skidmore
Bonner	Golson	Norrell	Smith
Boutwell	High	Phillips	Sollie
Byars	Hollis	Pinson	Whatley
Clayton	Johnson ( <i>Chambers</i> )	Quarles	Wright
Eddins			

—28

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

## By Mr. High:

S. B. 653. To apply in all counties of this State having a population of not less than 80,000 nor more than 94,000 according to the preliminary count of the 1950 Federal Census or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to authorize

the Plumbers Examining Board to enforce the provisions of this Act; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to define the powers conferred upon and duties imposed upon said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

Committee on Local Legislation.

### BILLS ON THIRD READING

The Bill:

S. 612. To make an appropriation to the Department of Public Safety for each of the years ending September 30, 1952 and September 30, 1953.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 26; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Robison
Andrews	Faulkner	Locke (Choctaw)	Skidmore
Benson	Foster	Norrell	Smith
Bonner	High	Phillips	Sollie
Boutwell	Hollis	Pinson	Whatley
Clayton	Johnson (Chambers)	Quarles	Wright
Eddins	Johnston (Mobile)	Richardson	

—26

Nays:

—0

The Bill:

S. 515. To provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts, including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such

districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama:

was taken up.

The Standing Committee on Municipalities and Municipal Organizations reported the following amendment to the Bill, to-wit:

#### AMENDMENT TO SENATE BILL NO. 515

Senate Bill No. 515 is hereby amended by adding at the end of Section 5 thereof the following:

“; provided that the power of eminent domain shall not be exercised by any such district in order to acquire those properties of any natural gas company which are subject to the regulation of the Federal Power Commission.”

Senate Bill No. 515 is further amended by inserting at the end of the third semicolon in the second sentence of Section 8, immediately following the words, “and to fix their compensation,” the following:

“to contract with any person, firm or corporation for the entire supervision, operation and management of any one or more systems of the district, including the collection and distribution of the revenue therefrom, for such period of time as the board may deem advisable and at such compensation and upon such terms as may be agreed upon and approved by the Board of directors;”

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Faulkner	Johnston (Mobile)	Quarles	
Andrews	Foster	Larkins	Richardson	
Benson	Golson	Locke (Choctaw)	Skidmore	
Boutwell	High	Norrell	Smith	
Byars	Hollis	Phillips	Sollie	
Clayton	Johnson (Chambers)	Pinson	Whatley	
Eddins				—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Johnston (Mobile)	Pinson	
Andrews	Faulkner	Larkins	Quarles	
Benson	Foster	Locke (Choctaw)	Sollie	
Boutwell	High	Norrell	Whatley	
Byars	Hollis	Phillips	Wright	
Clayton	Johnson (Chambers)			—21

Nays:

—0

The Bill:

H. 605. To validate and confirm any election held pursuant to or as authorized by the Constitutional Amendment submitted by Act No. 1, H. 15, as passed by the Legislature at the Fourth Special Session of 1950.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Johnston (Mobile)	Richardson	
Andrews	Farmer	Larkins	Skidmore	
Benson	Faulkner	Locke (Choctaw)	Smith	
Bonner	Foster	Norrell	Sollie	
Boutwell	High	Phillips	Whatley	
Byars	Hollis	Pinson	Wright	
Clayton	Johnson (Chambers)			—25

Nays:

—0

The Bill:

S. 493. Relating to license inspectors and their duties; amending Section 835, Title 51, Code of Alabama (1940).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Johnson (Chambers)	Richardson	
Andrews	Farmer	Johnston (Mobile)	Skidmore	
Benson	Faulkner	Larkins	Smith	
Boutwell	Foster	Locke (Choctaw)	Sollie	
Byars	High	Norrell	Whatley	
Clayton	Hollis	Pinson	Wright	
				—23

Nays:

—0

The Bill:

S. 555. To authorize the State Board of Agriculture and Industries to expend any funds in the State Markets Fund of the Agricultural Fund, not exceeding \$75,000.00 for the purpose of equipping, enlarging and expanding buildings or other facilities constructed by the State Markets Board and providing that no amounts shall be expended hereunder until all amounts required to be repaid to the General Fund of the State Treasury pursuant to Act No. 687 of the Legislature of 1947, shall have been repaid.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 20; Nays 0.

Yeas:

Messrs.:	Farmer	Johnson (Chambers)	Pinson	
Andrews	Faulkner	Johnston (Mobile)	Richardson	
Benson	Foster	Larkins	Skidmore	
Boutwell	High	Locke (Choctaw)	Smith	
Clayton	Hollis	Norrell	Whatley	
Eddins				—20

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 274. To amend Sections 60 and 61 of Title 36 of the Code of Alabama, 1940, which relate to the registration and licensing of drivers.

Also:

H. 263. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1952, and September 30, 1953, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind, and for the Teachers' Retirement System.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 601. To amend Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act to regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," as amended.

was taken up.

The Standing Committee on Banking reported the following substitute for the Bill, to-wit:

## SUBSTITUTE FOR S. B. 601

A BILL  
TO BE ENTITLED  
AN ACT

To amend Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act To regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to



keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act To regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," as amended, is amended to read as follows:

Section 1. No person, co-partnership, or corporation shall engage in the business of making loans of money or things in action in the amount of three hundred dollars (\$300) or less, until a license has been issued hereunder for each separate place of business so conducted. Loans in excess of three hundred dollars (\$300) shall not be governed by this Act.

"Section 2. (a) Applications for such license shall be made to the Supervisor of the Bureau of Loans and shall be in writing and shall contain the full name and address, both of the residence and the place of business, of the applicant, and if the applicant is a co-partnership, of every member thereof, or if a corporation, of each officer thereof, also the county and municipality, with a street and number, if any, where the business is to be conducted. At the time of making an original application, the applicant shall pay to the Supervisor of the Bureau of Loans the sum of twenty-five dollars (\$25) as a fee for investigating the initial application. All licensees under this act shall pay an annual license of two hundred dollars (\$200) which shall be due on October 1 of each year and shall be for one year ending September 30 following, and shall be delinquent on the first day of November of each year. And there shall be a penalty of ten per cent (10%) added to such license upon delinquency and collected by the Bureau. If any applicant licensed under this Act for the first time shall commence business after the first day of April in any year, the amount of the license shall be one-half of the amount of a full year's license. The amount of the license (and penalties if any) shall be paid to the Supervisor of the Bureau of Loans, who shall remit the same to the Treasurer of the State of Alabama as provided by law. The license herein provided for shall be in addition to all other licenses now or hereafter provided for by law, and shall be in addition to the tax provided for by Chapter 18, Article 51, Code of Alabama (1940), as amended; and the amount of the license levied by this Section shall not be credited upon or deducted from, in whole or in part, the tax levied by said Chapter 18, as amended, as to the current State tax year or as to any prior or subsequent State tax year. No refunds for the current or any prior or subsequent State tax year of any portion of the tax levied by said Chapter 18, as amended, shall be made on the ground that the license levied by this Section was not credited upon or deducted from the tax levied

by said Chapter 18, as amended; and no suit or action shall lie to enforce any claim for such refund.

"(b) Upon the filing of an initial application and payment of the proper fees and the twenty-five dollars (\$25) investigation fee, the Bureau of Loans shall investigate the facts concerning the application. The Bureau shall issue an initial license if it finds: (1) that the financial responsibility, experience, reputation and general fitness of the applicant, and if the applicant is a partnership or an association, of the several members thereof, and if a corporation, of the officers and directors thereof, is such as to warrant the belief that the business will be operated lawfully, honestly and fairly; (2) that the applicant has fully complied with the provisions of this Act and is qualified to be licensed; and (3) that allowing such applicant to engage in business will promote convenience and business in the town in which the licensee's office is to be located. The Bureau shall not deny the application until it has given ten days' written notice to the applicant stating the contemplated action and the grounds therefor or until the applicant has been afforded an opportunity to be heard. When an application is denied, the Supervisor shall enter an order denying the application and shall return the license fee, but he shall retain the investigation fee of twenty-five dollars (\$25). Provided, however, that Section (3) of this sub-section shall not apply to any person, firm or corporation operating on the effective date of this Act under the laws of the State of Alabama."

"(c) No applicant for a license (whether original or renewal) who is a non-resident of the State of Alabama shall be granted a license until he files with the Supervisor his irrevocable written power of attorney, appointing the Secretary of State of Alabama his true and lawful attorney upon whom all or any lawful process in any action or proceeding against him may be served and agreeing that such service shall be of the same legal force, effect and validity as if due legal service of process had been made upon such person himself. Whenever under the provisions of this subsection, service of process is had upon the Secretary of State, he shall promptly by registered mail notify the licensee of such service and forward to him a copy of the process so served. No corporation shall be granted a license under the provisions of this act that is not incorporated under the laws of the State of Alabama."

"Section 3. The license shall be kept conspicuously posted in the place of business of the licensee. No more than one place of business shall be maintained under the same license, but the licensing official may issue more than one license to the same licensee upon the payment of an additional license fee. Such license shall not be assignable.

"Section 4. Whenever the licensee shall change his place of business, he shall at once give written notice thereof to the supervisor of the Bureau of Loans who shall attach to the license his approval in writing of the change.

"Section 5. (a) To administer and enforce the provisions of this Act there is hereby created in the Department of Commerce for the State of Alabama the "Bureau of Loans" and the Director of the Department of Commerce shall, with the approval of the Governor, and subject to the provisions of the Merit System, appoint a Supervisor of the Bureau of Loans who shall be the Chief of the Bureau of Loans and such other employees of said Bureau as may be necessary. The Supervisor of the Bureau of Loans shall take and file with the Secretary of State the official oath and shall give bond in the penal sum of ten thousand dollars (\$10,000) for the faithful performance of the duties of his office. The Supervisor of the Bureau of Loans for the purpose of discovering violations of this Act, may investigate the loans and business of every person, co-partnership, and corporation by whom, or by which any such loan shall be made, whether such person, co-partnership, or corporation shall

act, or claim to act, as principal, agent, or broker, or under or without the authority of this Act. All records, reports and other data submitted by any licensee to the Supervisor of the Bureau of Loans and the reporting of all investigations made hereunder shall remain in said office and shall not be open to public inspection.

“(b) Upon ten days’ written notice to a licensee, stating the contemplated action and grounds therefor and after giving the licensee a reasonable opportunity to be heard the Bureau shall suspend or revoke any license issued hereunder if it finds: (1) that the licensee is in default in the payment of the annual license fee or has failed to comply with any rule, regulation or order of the Bureau of Loans promulgated by it under authority of this Act; or (2) that a fact or condition exists as to the licensee which would have justified the Bureau in refusing originally a license to him if the fact or condition had existed at the time of the original application for such license by him. If the Bureau finds that there exists probable cause for the suspension or revocation of any license and that the enforcement of this Act requires immediate suspension of such license pending a complete investigation, it may, upon three days’ written notice, and after a hearing, enter an order suspending such license for a period not exceeding thirty days, during which time no loans may be made by the licensee. Upon completion of its investigation, the Bureau may reinstate the license or revoke the same or order such further suspension thereof as the circumstances may warrant.

“(c) The Supervisor may, either before or after the suspension or revocation of any license, apply to any court of competent jurisdiction for an injunction or other order enjoining or prohibiting any person from violating any of the provisions of this Act or any rules, regulations or orders of the Bureau, and upon a proper showing the court shall issue such injunction or order as may be deemed proper.

“(d) Any person aggrieved by any order or act of the Bureau or the Supervisor may, within thirty days from the entry of the order complained of or within sixty days of the act complained of if there is no order, file a petition or appeal from the order or act against the Supervisor in the Circuit court of Montgomery County and file security with the court for costs. Such petition may pray for a reversal, rescission, or modification of the order or act complained of and for such other relief as may be appropriate. It shall allege the facts relied upon as the basis for such relief. When the petition has been filed a summons shall be issued forthwith and shall be served upon the Supervisor personally or by registered mail addressed to his office in the Department of Commerce. The summons shall be returnable within five days from its date but in all other respects it shall be made as in other civil actions. The allegations of the petition shall be deemed to be denied without further pleading and the court upon application by either party shall advance the cause and hear the same without delay. Mere technical irregularities in the procedure before the Bureau shall be disregarded. Trial thereof shall be de novo but on such hearing the act or order of the Supervisor shall be prima facie correct and the burden shall be on the petitioner to show that the Bureau in issuing the order or in taking the action complained of was not justified. Any party to the proceeding may summon witnesses and compel their attendance as in criminal cases and may introduce evidence in addition to that relied upon by the Bureau. A proceeding under this section shall be deemed to be a special proceeding and either party may appeal from a final judgment therein.

“Section 6. The salaries of the Supervisor, and employees of the Bureau of Loans and all other expenses incident to carrying out the duties of the Supervisor and employees shall be paid as the salaries of other State officials and employees are paid and the other said necessary expenses shall be paid as now provided by law.

"Section 7. Each licensee shall keep such books and records in his place of business as in the opinion of the Supervisor of the Bureau of Loans will enable the Supervisor or any employee of said Bureau to determine whether the provisions of this Act are being observed. Every such licensee shall preserve the records of final entry used in such business, including cards used in the card system, if any, and carbon copies of all receipts issued by such licensee for a period of at least two years after the making of any loan recorded therein. The Supervisor, with the approval of the Director of the Department of Commerce is hereby empowered to prescribe rules and regulations governing the books and records to be kept and the form thereof to aid the Bureau in the enforcement of this Act and the forms of receipts and memoranda to be furnished customers as prescribed in Section 10 hereof. Such rules when promulgated, shall have force and effect as law sixty days thereafter.

"Section 8. (a) Each loan made by any licensee must be evidenced by a note, mortgage or conditional-sale contract.

"(b) No licensee shall take a lien or mortgage upon or conveyance of real estate as security for any loan except such lien as is created by law upon the rendition, filing or recording of a certificate of judgment.

"Section 9. No licensee or other person subject to this Act shall advertise, display, distribute or broadcast or cause or permit to be advertised, displayed, distributed or broadcast, in any manner whatsoever, any false, misleading or deceptive statement or representation with regard to the rates, terms or conditions for loans.

"Section 10. Every licensee shall deliver to the borrower, at the time a loan is made, a carbon copy of any notes, contract, mortgage or other evidence of the indebtedness signed by the borrower, or such other receipt or memorandum as the Supervisor of the Bureau of Loans, with the approval of the Director of the Department of Commerce, may by regulation require, which shall clearly and distinctly show the terms, the amount and date of the loan and of its maturity, the nature of the security, if any, for the loan, the name and address of the borrower and of the licensee; and give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made, and shall retain and preserve a carbon copy of all such receipts issued. Upon repayment of the loan in full, the licensee shall mark every paper signed by the borrower with the word "paid" or "cancelled," and issue release for any mortgage, restore any pledge, cancel and return any other evidence of indebtedness given by the borrower.

"Section 11. (a) In any suit filed on any debt or evidence of any indebtedness governed hereby in any court the judge thereof shall not render any judgment by default, nil dicit or otherwise, until he has heard the testimony of the licensee or of a representative of such licensee and secured from the licensee or his representative in addition an affidavit setting forth the following: Case number, name of plaintiff, name of defendant and questions in substantially the following form and the answers thereto of the plaintiff or his representative:

1. What is your name?
2. Are you the plaintiff in this case?
3. Are you authorized by the plaintiff in this case?
4. Has the plaintiff obtained a license for each place of business operated as required by this Act?
5. Was this loan made less than 24 hours after payment or refinancing of a prior loan? ..... If so give dates of all prior loans in such class and dates of the last payments thereon.

6. Give the date upon which this loan was made.
7. What was the actual amount of money received by the borrower?
8. What is the principal amount now due and unpaid on this loan?
9. Has the defendant by any method been charged with interest at the rate exceeding eight percent (8%) per annum?

If it be made to appear that the provisions of this Act have been violated or that interest in excess of eight percent (8%) per annum has been charged, then judgment shall be rendered in favor of the plaintiff for the principal balance only of the indebtedness sued upon without an Attorney's fee. In any such suit the plaintiff must allege in the complaint that the plaintiff is a licensee under this Act, and if such plaintiff be subject to this Act and fails to allege in his complaint that he is a licensee hereunder, or if it is shown to the court that he is subject to this Act and is not a licensee, then the court ex mero motu shall dismiss such suit at plaintiff's cost. No garnishment shall issue in such suit or in connection therewith until after judgment has been rendered. In any case where a garnishment has been issued before judgment the judge or justice of the court from which said garnishment issued, upon there being filed with him an affidavit of the Supervisor of the Bureau of Loans or of any employee of the Bureau of Loans, that the affiant is such employee and that he has investigated the facts concerning the subject matter of the suit in which such garnishment was issued and that in his opinion and belief the suit is by a person governed by this Act, shall make and file in such cause an order discharging the garnishee in said cause, and after the filing of such affidavit such garnishee shall not be required to answer such garnishment and shall not be subjected to any liability on account of the same. No garnishment shall be issued in any suit prior to judgment therein unless the plaintiff, his agent, or attorney makes and files in the cause an affidavit that the debt sought to be recovered in such suit is not a debt growing out of a loan governed by this Act.

"(b) Any account on which a suit is filed will be deemed a continuous transaction where a note or mortgage has been refinanced in whole or in part or by the payment of interest only where such accounts have been refinanced or paid in full for a period of less than twenty-four (24) hours' time.

"Section 12. No licensee shall take any note, promise to pay, or security, nor any instrument in which blanks are left to be filled after execution.

"Section 13. All loans governed by this Act must mature within thirty-six months from date and each monthly payment or installment shall equal or exceed two and eight-tenths percent (  $2\frac{8}{10}\%$  ) of the amount of the total indebtedness due by the borrower to the licensee, and in no event shall each monthly installment be less than five dollars (\$5.00).

"Section 14. Nothing contained in this Act shall apply to any bank organized and existing under the laws of the State of Alabama, or under the laws of the United States, nor shall this Act apply to any person, firm or corporation concerning loans made to the tenants of such person, firm or corporation engaged in agriculture, nor to loans to persons whose principal business is farming, nor shall it apply to the business of financing the purchase of motor vehicles, refrigerators, or other personal property, nor shall it apply to credit unions as defined by law, nor shall it apply to savings and loan associations as defined by law, nor shall it apply to loans insured or guaranteed by the United States or any of its agencies.

"Section 15. (a) The failure to do any act herein required or the doing of any act herein prohibited shall be a misdemeanor and the person

doing the same, whether it be the licensee, his officer, agent, servant or employee shall, upon conviction be punished by a fine of not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500). The making of each loan governed by this Act by a person required by this Act to obtain a license, without having obtained such license, shall be a separate offense. The charging of interest at an interest rate in excess of eight percent (8%) per annum shall not be deemed to be a criminal offense but nothing contained in this Act shall be construed as legalizing the charging of interest at a rate in excess of eight percent (8%) per annum.

"(b) After notice of any violation of the provisions of this Act has been given by the Supervisor of the Bureau of Loans to a licensee, or in the case of a corporation to the president or other officer or director of such corporation, a recurrence of said violation shall be deemed *prima facie* to have been with the knowledge or consent of the licensee or its president, other officer or director, and such licensee, president, other officer or director shall be punishable therefor under the provisions of this Act as if he had committed the violation.

"(c) Any person who purchases and operates a business licensed under this Act who is not himself licensed and qualified hereunder to operate such business shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500).

"Section 16. All laws or part of laws which conflict with this Act are repealed."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Byars offered the following amendment to the substitute for the Bill, to-wit:

Amend substitute for Senate Bill No. 601 by adding at the end of Section 14, the following:

Nor shall the act apply to pawn brokers. For the purpose of the enforcement of this act, the word "pawn broker" is defined as one who lends money on articles of value and whose sole recourse shall be from the sale of the said article so pawned and shall not have any recourse in Court for any deficiency judgment thereon.

Which was adopted.

And said substitute, as thus amended, was then adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Johnson (Chambers)	Richardson
Andrews	Farmer	Johnston (Mobile)	Robison
Benson	Faulkner	Larkins	Skidmore
Boutwell	Foster	Locke (Choctaw)	Smith
Byars	High	Phillips	Whatley
Clayton	Hollis	Pinson	Wright

—23

Nays:

—0

On motion of Mr. Johnson (Chambers), further consideration of the Bill, as amended by the substitute, was postponed until the next legislative day.

The Bill:

S. 580. Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nay 1.

Yeas:

Messrs.:	Eddins	Johnson (Chambers)	Richardson
Andrews	Farmer	Johnston (Mobile)	Robison
Bonner	Faulkner	Larkins	Skidmore
Boutwell	Foster	Locke (Choctaw)	Whatley
Byars	High	Pinson	Wright
Clayton	Hollis		

—21

Nay: Mr. Smith —1

The Bill:

S. 530. To appropriate \$120,000 annually during the next two fiscal years to The Armory Commission of Alabama to be used in providing necessary armory facilities for Alabama National Guard units, including the matching of Federal funds made available to the State of Alabama for such purpose.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

#### FINANCE AND TAXATION COMMITTEE AMENDMENT TO SENATE BILL NO. 530

Amend Senate Bill No. 530 by adding at the end of Section 1 the following: "The construction of all armory facilities provided by this Act shall be under the supervision of the Director of Technical Staff of the Building Commission of the State of Alabama."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Johnson (Chambers)	Phillips
Andrews	Faulkner	Johnston (Mobile)	Pinson
Bonner	Foster	Larkins	Richardson
Boutwell	Golson	Locke (Choctaw)	Robison
Clayton	High	Norrell	Skidmore
Eddins	Hollis		

—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Johnston (Mobile)	Richardson
<b>Andrews</b>	Faulkner	Larkins	Robison
Bonner	Foster	Locke (Choctaw)	Skidmore
Boutwell	High	Phillips	Smith
Clayton	Hollis	Pinson	Whatley
<b>Eddins</b>	Johnson (Chambers)		

—21

Nays:

—0

The Bill:

S. 349. To amend Section 718, Title 7, Code of Alabama (1940), which relates to the costs of publication of legal notices.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 19; Nay 1.

Yeas:

Messrs.:	Farmer	Johnson (Chambers)	Richardson
<b>Andrews</b>	Faulkner	Larkins	Robison
Boutwell	Foster	Locke (Choctaw)	Skidmore
Clayton	High	Phillips	Smith
<b>Eddins</b>	Hollis	Pinson	Whatley

—19

Nay: Mr. Johnston (Mobile)

—1

The Bill:

S. 603. To amend Title 61, Section 301 of the 1940 Code of Alabama, as amended, entitled, "Settlement by Consent Without Notice."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 22; Nays 0.

Yeas:

Messrs.:	<b>Eddins</b>	Johnson (Chambers)	Richardson
<b>Andrews</b>	Farmer	Johnston (Mobile)	Robison
Bonner	Faulkner	Larkins	Skidmore
Boutwell	Foster	Locke (Choctaw)	Smith
Byars	High	Phillips	Whatley
Clayton	Hollis	Pinson	

—22

Nays:

—0

The Bill:

S. 600. To provide for the approval by courts, without notice or publication or posting, of consent or agreed final settlements by and between guardians and their wards.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.



Yeas:

Messrs.:	Eddins	Johnson (Chambers)	Pinson	
Andrews	Farmer	Johnston (Mobile)	Richardson	
Bonner	Faulkner	Larkins	Robison	
Boutwell	Foster	Locke (Choctaw)	Skidmore	
Byars	High	Phillips	Whately	
Clayton	Hollis			—21

Nays: —0

The Bill:

S. 518. To amend Section 47 of Title 58 of the 1940 Code of Alabama which relates to the investments of trust funds by fiduciaries.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

#### SUBSTITUTE FOR S. B. 518

#### A BILL TO BE ENTITLED AN ACT

To amend Section 47 of Title 58 of the 1940 Code of Alabama which relates to the investments of trust funds by fiduciaries.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That Section 47 of Title 58 of the 1940 Code of Alabama is amended to read as follows:

"Unless otherwise authorized or directed by the court having jurisdiction thereof, or by the will, trust agreement or other document which is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, with the exercise of reasonable business prudence, in addition to any other investments now permitted by law, invest funds in securities or investments which, at the time of the making or purchase thereof, are included in one or more of the following classes: (a) Bonds or other interest bearing obligations of the United States of America, or payment of which the United States of America has guaranteed as to both principal and interest. (b) Bonds issued by the federal land bank, under the act of congress of the United States of America, designated as 'the federal farm loan act,' and acts amendatory thereof. (c) Bonds or other interest bearing obligations of any state of the United States of America. (d) General obligation bonds pledging the full faith and credit, of any county of the State of Alabama which county for a period of five years next preceding the purchase of said bonds shall not have made default in the payment of principal or interest on any of its funded obligations. (e) Interest bearing general obligations pledging the full faith and credit, including interest bearing warrants, of any board of education of any county or municipality of the State of Alabama secured by pledge of the three mill school tax. (f) Promissory notes, bonds or other evidences of indebtedness secured directly or collaterally by mortgage or trust deed which is a first lien on improved real estate in this or any other State of the United States of America; provided that (1) no interest or participation in any note, bond, or other evidence of indebtedness secured by mortgage shall hereafter be purchased for any fiduciary account unless the entire principal indebtedness secured by the mortgage shall at the time be controlled by the fiduciary, that (2) no such interest or participation less than the entire indebtedness shall at any time be sold by the fiduciary to any person, es-

tate, trust or other entity, not controlled by the fiduciary, and that (3) no fiduciary shall hereafter purchase from any trust or estate under its control or from itself for any trust or estate any such loan, bond, or other evidence of indebtedness secured by mortgage, or interest therein, unless the items so acquired shall in good faith and with due diligence have originally been made or acquired by the fiduciary for trust investment; and provided further that this section shall not, in so far as the same is prohibited by the constitution of this state, authorize the investment of such funds in the stocks or bonds of private corporations. (g) As a deposit in the savings department of any bank which is a member of the federal deposit insurance corporation. In the event the fiduciary is such a bank, such deposit may be made in its own savings department, and in such event, it shall only be liable for interest thereon at the same rates, and subject to the same regulations as other savings deposits therein. Provided that any such deposit in said savings account shall not exceed the amount authorized to be insured by the federal deposit insurance corporation. (h) Bonds, the issuance of which has been authorized by the Securities Commissioner of the State of Alabama, and which are secured directly or collaterally by mortgages or trust deeds which are first liens on improved real estate in this or any other State of the United States of America; provided (A) that the value by appraisal of the realty must be not less than one and one-half (1½) times the amount of any mortgage secured by said realty except: (1) mortgages guaranteed or insured in whole or in part by the Federal Housing Administrator, or (2) mortgages guaranteed or insured in whole or in part by the Administrator of Veteran's Affairs of the United States. Nothing in this sub-section shall prohibit the bonds from being secured by more than one first lien. In the event that any, or all of the first liens securing the bond issue are satisfied, other securities authorized by law for the investment of trust funds may be substituted therefor.

The power herein given is in addition to and not in derogation of any power of investment given under existing law, but to the extent that any statute now in force is in conflict herewith, the same shall be and is hereby repealed."

**SECTION 2.** If, for any reason, any clause, sentence, sub-section, section or provision of this Act, or the application thereof to any person, body, situation or circumstance, is held invalid or inoperative, the remainder of this Act and the application thereof to any other person, body, situation or circumstance shall not be affected thereby.

**SECTION 3.** This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Richardson
Andrews	Farmer	Johnson (Chambers)	Robison
Bonner	Faulkner	Locke (Choctaw)	Skidmore
Boutwell	Foster	Norrell	Smith
Byars	Golson	Phillips	Wright
Clayton	High	Pinson	

—22

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

*Yeas:*

Messrs.:	Eddins	Hollis	Richardson	
Andrews	Farmer	Johnson (Chambers)	Robison	
Bonner	Faulkner	Locke (Choctaw)	Skidmore	
Boutwell	Foster	Norrell	Smith	
Byars	Golson	Phillips	Whatley	
Clayton	High	Pinson	Wright	
				—23
<i>Nays:</i>				—0

REPORT OF COMMITTEE  
ON  
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Thirtieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the Thirtieth Legislative Day approved by the Senate.

## ADJOURNMENT

At 4 o'clock P. M. on motion of Mr. Richardson, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, August 21, 1951 at 10 o'clock A. M.

Yeas 12; Nays 10.

*Yeas:*

Messrs.:	Foster	Hollis	Richardson	
Bonner	Golson	Johnson (Chambers)	Skidmore	
Byars	High	Locke (Choctaw)	Smith	
Eddins				—12

*Nays:*

Messrs.:	Clayton	Phillips	Whatley	
Andrews	Faulkner	Pinson	Wright	
Boutwell	Norrell	Robison		—10

## THIRTY-FIRST LEGISLATIVE DAY

TUESDAY, AUGUST 21, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

## PRAYER

The Session was opened with prayer by Dr. John Newport, Associate Professor of the New Orleans Baptist Theological Seminary, New Orleans, Louisiana.

## ROLL CALL

## Present:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whately
Fant	Jones	Reneau	Wright
Farmer	Larkins	Richardson	

—34

## JOURNAL

On motion of Mr. Clayton, the reading of the Journal of Yesterday was dispensed with and same approved by the Senate.

## LEAVE OF ABSENCE

On motion of Mr. Phillips, leave of absence was granted Mr. Andrews for today.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 517. Relating to Jefferson County: To amend Section 6, of Act No. 536, S. 365, approved October 2, 1947, 1947 Local Acts, page 359, which relates to the collection of delinquent court costs and fees in Jefferson County.

Also:

S. 528. Relating to Tuscaloosa County: Authorizing and requiring the governing body of Tuscaloosa County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall, subject to the county civil service system, select, fix the compensation of, and have the right to discharge their respective clerks deputies and assistants; providing that the maximum amount of the combined salaries of clerks, deputies and assistants in each of such offices shall be determined by the county governing body; and providing that the salaries and compensation provided under the provisions hereof shall be in lieu of all other compensation.

Also:

S. 542. Relating to counties having populations of not less than 80,-

000 nor more than 94,000 inhabitants; providing for the furnishing of equipment, supplies, clerks, deputies and other assistants for certain county officers in such counties.

Also:

S. 543. To amend Section 2 of Act No. 436, H. 852, approved September 25, 1947 (General Acts of Alabama, 1947, page 316), which provides for a chief clerk for the circuit solicitor in all judicial circuits composed of only two counties, one of which counties is divided into two judicial divisions, and having only two judges.

Also:

S. 544. Relating to county courts in counties having a population of not less than 80,000 nor more than 94,000 inhabitants; imposing extra, new, and additional duties upon the judges of such courts, and providing additional compensation for the performance thereof.

Also:

S. 549. Relating to the office of circuit clerk of any county having a population of not less than 63,750 nor more than 72,500 inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the United States; fixing the salary of the circuit clerk and providing for his clerical assistance, supplies, and office space.

Also:

S. 550. Relating to counties having populations of not less than 63,750 nor more than 72,500 inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the United States; fixing the compensation of the Sheriff of any such county.

Also:

S. 551. Authorizing and directing the governing body of Lawrence County to make an appropriation for the relief of W. K. Cartee.

Also:

S. 552. To amend Act No. 84 of Local Acts of 1947 page 60, entitled "An Act to allow the Sheriff of Lawrence County, Alabama, an additional deputy Sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Lawrence County in monthly installments" to provide that the additional deputy sheriff provided for by said Act shall receive a salary of not less than \$1800.00 nor more than \$2400.00 per annum, to be paid in twelve equal monthly installments out of the General Funds of Lawrence County, Alabama.

Also:

S. 554. Relating to the circuit solicitor of judicial circuits having two judges and being composed of only two counties, one of which has a population of not less than seventy-three thousand one hundred nor more than ninety-three thousand five hundred; providing him with a chief clerk; prescribing the duties, powers, functions, compensation and method of selection of such clerk; and providing for a travel allowance for such solicitor.

Also:

S. 556. Relating to counties having a population of not less than sixty-four thousand nor more than seventy-nine thousand inhabitants; to fix the compensation of the coroner.

Also:

S. 568. Relating to counties which have populations of not less than 30,000 nor more than 33,500 inhabitants, according to the 1950 or any subsequent decennial census of the United States, and two courthouses; providing for the appointment of a deputy sheriff in addition to the chief deputy in the office of the sheriff, and to provide for the payment of his compensation.

Also:

S. 570. Relating to cities having a population of not less than 35,000 nor more than 55,000 inhabitants; authorizing such cities to levy and collect privilege license taxes on the sale of malt or brewed beverages within their police jurisdictions at the same rate as such taxes are levied within their corporate limits.

HERBERT B. BYARS,  
Chairman.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. B. 654. Relating to the Sixth Judicial Circuit of Alabama; prescribing the method of striking juries in civil and criminal cases; repealing conflicting laws.

Committee on Local Legislation.

By Mr. Todd:

S. B. 655. Relating to counties having populations of not less than 38,800 nor more than 39,550 inhabitants; creating a School House Commission therein; providing for the nomination, appointment, and term of the chairman and members of the commission; and prescribing the powers, authority, and duties of the commission.

Committee on Local Legislation.

By Mr. Todd:

S. B. 656. To re-divide the State into Judicial circuits and provide for the compensation, election and/or appointment of the Judge and Solicitor of the newly created Circuit.

Committee on Judiciary.

By Mr. Todd:

S. B. 657. Relating to municipalities having a population of not less than 5,800 nor more than 6,200 inhabitants; to provide for zoning in such municipalities; providing for a zoning commission therein; and providing for its membership, powers, authority, functions and duties.

Committee on Local Legislation.

By Mr. Byars:

S. B. 658. To amend Section 3 of Act No. 523, S. 315, approved September 30, 1947 (General Acts of Alabama, 1947, page 379), as amended by Act No. 460, S. 431, approved August 25, 1949 (Acts of Alabama, 1949,

page 667), which creates a Water Improvement Advisory Commission.  
Committee on Municipalities and  
Municipal Organizations.

By Mr. Robison:

S. B. 659. To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONTGOMERY

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, is amended to read as follows:

"Section 1. That the County of Montgomery is hereby divided into three revenue districts to be known as northern, southeastern and southwestern. The northern district shall be composed of and include the city of Montgomery and the territory now embraced in precincts known as Dooley's (8), McGehee's (9), Old Elam (18), Kendall's (19), Walker's (20), Mt. Meigs (21), Snowdown (22), and Cloverdale (23). The Southeastern district shall be composed of and include the territory now embraced in precincts known as Porter's (12), Pike Road (17), Pine Level (13) and Dublin (14). The southwestern district shall be composed of and include the territory now embraced in precincts known as Kellough's (10), Robinson Cross Roads (11), Tucker's (15) and Union Academy (16)."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 26, Aug. 2-9-16, 1951.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Clint McCarty, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Montgomery Examiner, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having

appeared in the issues of said paper on July 26, Aug. 2, Aug. 9, and Aug. 16, all in the year 1951.

CLINT McCARTY.

Sworn to and subscribed before me August 20th, 1951.

LUCILLE RAFFELS,  
Notary Public.

By Mr. Robison:

S. B. 660. To amend Section 19 of Act 781, approved September 28, 1915, as said act is amended by Act 131, approved February 17, 1919, which relates to firemen's pension and relief fund.

Committee on Local Legislation.

By Mr. Robison:

S. B. 661. To amend Section 546 of Title 62 of the Code of Alabama of 1940 which relates to firemen's pension and relief fund.

Committee on Local Legislation.

By Mr. Robison:

S. B. 662. To provide for and prescribe the form of government for all cities of Alabama having a population of not less than 100,000 nor more than 120,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census.

Committee on Local Legislation.

By Messrs. Skidmore, Eddins, Thagard, Todd, Fant, High, Smith, Faulkner, Johnson (Chambers), Reneau, McCary, Quarles, Phillips, Boutwell, Robison, Wright, Pinson, Locke (Choctaw), Jones, Hollis, Farmer, and Byars:

S. B. 663. Relating to state government administration; providing for and establishing a state employees' suggestion system; making appropriations to carry out the purposes of the Act.

Committee on Finance and Taxation.

By Mr. Boutwell:

S. B. 664. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the president of such Commission or Board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries.

Committee on Local Legislation.

By Mr. Boutwell:

S. B. 665. To direct the governing body of each county in the state having a population of 400,000 or more according to the last or any succeeding decennial Federal census, to appropriate and pay compensation and salaries to certain officers who are paid in whole or in part from the funds of such county and to assign new and additional duties to some of such officers.

Committee on Local Legislation.

By Mr. Boutwell:

S. B. 666. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of 400,000 or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Committee on Local Legislation.

By Mr. Boutwell:

S. B. 667. Relating to the compensation of circuit judges and the



judge of probate in any circuit in the State composed of one county having more than five circuit judges and to provide for the salaries of such judges at the beginning of the next term of office in the event that any constitutional amendment restricting an increase in the salaries of such judges shall have been ratified prior to the date of the beginning of their next term of office.

Committee on Local Legislation.

### REPORTS OF COMMITTEES

Mr. Sollie, acting Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation and it was read a second time and placed on the calendar, to-wit:

By Mr. Skidmore (Without recommendation):

S. 369. Supplemental to Title 36 of the 1940 Code, which relates to motor vehicles, and to Article 8, Chapter 20 of Title 51 of the 1940 Code, which relates to license taxes applicable to motor vehicles: providing means for the recovery of stolen motor vehicles by requiring registration of ownership and liens upon motor vehicles and imposing penalties for violations of this Act.

### RESOLUTION

Messrs. Johnston (Mobile) and Sollie offered the following Senate Joint Resolution, to-wit:

S. J. R. 72. Be it resolved by the Senate, the House concurring, that when the two houses adjourn today they adjourn to meet again on Thursday, August 23, at 10:00 o'clock A. M.

Which was read and referred to the Standing Committee on Rules.

### STATE OF ALABAMA TUSCALOOSA COUNTY

I, C. H. Penick, as Secretary of The Board of Trustees of the University of Alabama, do hereby certify that at the Annual Meeting of said Board held on June 4, 1951 the following were elected for a term of twelve (12) years to fill existing vacancies on said Board, viz:

Dr. Paul P. Salter.....Eufaula  
As Trustee from the Third District

Hon. Gordon D. Palmer.....Tuscaloosa  
As Trustees from the Sixth District

Hon. William H. Mitchell.....Florence  
As Trustee from the Eighth District

Witness my hand and seal of the said The Board of Trustees of the University of Alabama on this the 18th day of August, 1951.

C. H. PENICK,  
Secretary of the Board of Trustees  
of the University of Alabama.

Sworn to and subscribed before me on this the day and year first above written.

BEATRICE ALEXANDER  
Notary Public

I, W. J. Terry, certify that Dr. Paul P. Salter, Hon. Gordon D. Palmer and Hon. William H. Mitchell were elected to the Board of Trustees

of the University of Alabama on June 4, 1951, each to serve for a term of twelve (12) years. I recommend their confirmation by the Senate.

W. J. TERRY,  
Supt. of Education.

Sworn to and subscribed before me this 21st day of August 1951.

J. P. SHELTON,  
Notary Public.

#### COMMUNICATION FROM SUPERINTENDENT OF EDUCATION

On motion of Mr. Clayton, the Senate confirmed the members of the Board of Trustees of the University of Alabama, as certified by the Superintendent of Education in the foregoing communication from the Board of Trustees of the University of Alabama.

#### RESOLUTION

The Standing Committee on Rules reported the following Senate Resolution, to-wit:

S. R. 73. BE IT RESOLVED BY THE SENATE, That when bills on third readings are reached on the Thirty-first Legislative Day that the following bills in the order listed shall be special, paramount and continuing order of business preceding Special Orders now appearing on the Calendar:

Local bills and general bills of local application.

H. B. 385	page 25
H. B. 724	page 10
H. B. 812	page 58
H. B. 809	page 58
H. B. 642	page 50

BE IT FURTHER RESOLVED, That the following bills in order listed be added at the foot of the Special Orders now appearing on the Calendar:

H. B. 908	page 69
S. B. 640	page 66
H. B. 241	page 21
H. B. 284	page 53
S. B. 490	page 40
S. B. 488	page 40
S. B. 489	page 41
S. B. 408	page 18.
S. B. 409	page 19
S. B. 52	page 52
H. B. 390	page 68

And on motion of Mr. Clayton, said Resolution was adopted by the Senate.

#### BILLS ON THIRD READING

The Bill:

S. 572. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and

additional duties hereby imposed upon him; and to provide for the payments of such additional compensation by Tuscaloosa County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Quarles
Benson	Farmer	McCary	Skidmore
Boutwell	Golson	Norrell	Todd
Byars	High	Phillips	Whatley
Clayton	Hollis	Pinson	Wright
Eddins	Jones		

—21

Nays:

—0

The Bill:

H. 665. To amend Sections 2 and 3 of Act No. 122 of the General Acts of the Alabama Legislature of 1951 entitled "To Propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Franklin County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Franklin County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities".

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Smith
Benson	Faulkner	McCary	Sollie
Boutwell	Foster	Norrell	Thagard
Byars	Golson	Phillips	Todd
Clayton	High	Pinson	Whatley
Eddins	Hollis	Quarles	Wright
Fant	Jones		

—25

Nays:

—0

The Bill:

H. 668. To repeal Act No. 27, adopted at the Fifth Special Session of the Legislature of Alabama held during the year 1950, which proposed and provided for the submission of an amendment to the Constitution of Alabama relating to Colbert County for the purpose of validating Act No. 485 adopted at the Regular Session of the Legislature of Alabama of 1949.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Farmer	Larkins	Smith	
Benson	Faulkner	McCary	Sollie	
Boutwell	Foster	Norrell	Thagard	
Byars	Golson	Phillips	Todd	
Clayton	High	Pinson	Whatley	
Eddins	Hollis	Quarles	Wright	
Fant	Jones			—25

**Nays:** —0

**The Bill:**

S. 627. Proposing an amendment to the Constitution of Alabama relating to Colbert County.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Farmer	Larkins	Smith	
Benson	Faulkner	McCary	Sollie	
Boutwell	Foster	Norrell	Thagard	
Byars	Golson	Phillips	Todd	
Clayton	High	Pinson	Whatley	
Eddins	Hollis	Quarles	Wright	
Fant	Jones			—25

**Nays:** —0

**The Bill:**

S. 638. To propose and provide for the submission of or amendment to the Constitution of Alabama; to validate certain local acts relative to Marion County, Alabama.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Farmer	Larkins	Smith	
Benson	Faulkner	McCary	Sollie	
Boutwell	Foster	Norrell	Thagard	
Byars	Golson	Phillips	Todd	
Clayton	High	Pinson	Whatley	
Eddins	Hollis	Quarles	Wright	
Fant	Jones			—25

**Nays:** —0

**The Bill:**

S. 619. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Chambers County, empowering the governing body of said County to levy and collect, for a period not exceeding twelve years, a special ad valorem tax on real and tangible personal property only, within said County, the proceeds of such tax to be used solely for acquiring, constructing and equipping public school

buildings within said County, for paying the principal of and interest on bonds which may be hereafter issued by said County under the provisions of said proposed amendment, and for the redemption of said bonds, and providing for a county-wide election to authorize the levy of said tax, and providing for the issuance and sale of tax anticipation bonds of said County not constituting general obligations of said County.

was taken up.

The Standing Committee on Constitution and Constitutional Revision and Amendments reported the following amendment to the Bill, to-wit:

Amend Section One of S. B. 619 to read as follows:

"In addition to all other taxes now or hereafter authorized by law, the governing body of Chambers County shall have the power to levy and collect, for a period of not exceeding twelve years, a special ad valorem tax on real and tangible personal property only, situated within said County, at a rate not exceeding five mills on each dollar's worth of said real and tangible personal property, as assessed for state taxation for the preceding tax year, the proceeds of said tax to be used solely for acquiring, constructing and equipping public school buildings within said County, including public school buildings for any city school system therein; provided, however, that before said special ad valorem tax shall be levied, the question as to whether said tax shall be levied shall have first been submitted to a vote of the qualified electors of said County at an election to be called by the governing body of said County, and shall have been voted for by a majority of said qualified electors voting at said election. The election provided for herein shall be called, held, conducted and canvassed, and may be contested in the same manner as provided by law for the calling, holding, conducting and canvassing of county bond elections. Upon the expiration of any tax authorized pursuant to this amendment, no further tax shall be authorized hereunder.

"In the event the said special ad valorem tax shall be authorized by a majority of the qualified electors voting on said question at said election, the governing body of said County shall thereupon be authorized to sell and issue its tax anticipation bonds for the purposes for which said tax was authorized, which bonds shall be in such amount as the governing body of said County shall designate, and shall be subject to the provisions of the general laws pertaining to the issuance of county bonds except that no further election shall be required therefor. The revenue derived from the sale of said bonds shall be expended by the Chambers County Board of Education for the purposes stated herein. Any bonds issued pursuant to this amendment shall be payable solely out of the proceeds of the said special ad valorem tax hereby authorized, which shall be pledged therefor, and after the issuance of said bonds, the proceeds of said tax remaining after payment of the cost of assessment and collection shall be used only for payment of the principal of and interest on said bonds, the creation and maintenance of a reserve therefor, and the redemption thereof. Said bonds shall constitute negotiable instruments although payable for a limited source and shall be eligible for the investment of trust funds. The said bonds shall not constitute general obligations of the said County and shall be in addition to all other bonds which said County has heretofore issued or is authorized to issue under the Constitution and Laws of Alabama."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Byars	Fant	Foster
Benson	Clayton	Farmer	Golson
Boutwell	Eddins	Faulkner	High

Hollis	Pinson	Smith	Todd	
Johnson (Chambers)	Quarles	Sollie	Whatley	
Jones	Reneau	Thagard	Wright	
McCary	Richardson			—25

*Nays:* —0

And said Bill, as thus amended, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Farmer	Jones	Smith	
Benson	Faulkner	McCary	Sollie	
Boutwell	Foster	Pinson	Thagard	
Byars	Golson	Quarles	Todd	
Clayton	High	Reneau	Whatley	
Eddins	Hollis	Richardson	Wright	
Fant	Johnson (Chambers)			—25

*Nays:* —0

#### The Bill:

H. 988. To Propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Walker County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Walker County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Farmer	Larkins	Smith	
Benson	Faulkner	McCary	Sollie	
Boutwell	Foster	Norrell	Thagard	
Byars	Golson	Phillips	Todd	
Clayton	High	Pinson	Whatley	
Eddins	Hollis	Quarles	Wright	
Fant	Jones			—25

*Nays:* —0

#### The Bill:

S. 481. To fix the salaries of the Second Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama; the Third Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama; the Fourth Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama; the Fifth Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama, and the Sixth Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama.  
was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 481

A BILL  
TO BE ENTITLED  
AN ACT

To fix the salaries of the second, third, fourth, fifth and sixth deputy circuit solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Be It Enacted by the Legislature of Alabama:

Section 1. The second and third deputy circuit solicitors of the Tenth Judicial Circuit of Alabama shall each be paid by the State of Alabama an annual salary of five thousand dollars (\$5,000), payable as the salaries of other State officers are paid.

Section 2. The fourth, fifth and sixth deputy circuit solicitors of the Tenth Judicial Circuit of Alabama shall each be paid by the State an annual salary of eight hundred dollars (\$800), payable as the salaries of other State officers are paid.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 22; Nays 4.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Skidmore	
Benson	Faulkner	McCary	Sollie	
Boutwell	High	Norrell	Thagard	
Clayton	Hollis	Phillips	Todd	
Eddins	Jones	Pinson	Wright	
Fant	Locke (Choctaw)	Richardson		—22

Nays:

Messrs.:	Golson	Johnson (Chambers)	Quarles	
Bonner				—4

And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 4.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Skidmore	
Benson	Faulkner	McCary	Sollie	
Boutwell	High	Norrell	Thagard	
Clayton	Hollis	Phillips	Todd	
Eddins	Jones	Pinson	Wright	
Fant	Locke (Choctaw)	Richardson		—22

Nays:

Messrs.:	Golson	Johnson (Chambers)	Quarles	
Bonner				—4

The Bill:

S. 609. To amend Section 5 of an Act approved December 17, 1894,

entitled "An Act to establish a Board of Revenue of Lowndes County, Alabama and define the powers and duties of said Board of Revenue."

was taken up.

Mr. Golson offered the following amendment to the Bill, to-wit:

Amend Senate Bill 609 as follows:

Strike out the figures "\$2000.00" and insert in lieu thereof the figures "\$900."

Also, strike out the figures "\$3000.00" and insert the figures "\$1,200."

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

*Nays:*

—0

The Bill:

S. 615. To prescribe new, extra and additional duties for the Superintendents of Education in all counties of the state having a population of not less than 36,000 nor more than 39,000 according to the last or any subsequent census; to provide additional compensation for the performance of such new, extra and additional duties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Larkins	Sollie	
Benson	Foster	McCary	Thagard	
Clayton	Golson	Norrell	Todd	
Eddins	High	Phillips	Whatley	
Fant	Hollis	Smith	Wright	
Farmer	Jones			—21

*Nays:*

—0



## The Bill:

S. 616. To provide for the establishment and administration of Retirement Systems for county employees in counties having a population of 400,000 or more according to the last or any future federal census, and for the payment of benefits to the employees of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

## Yeas:

Messrs.:	Fant	Larkins	Quarles	
Benson	Farmer	McCary	Smith	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Phillips	Todd	
Clayton	Hollis	Pinson	Wright	
Eddins	Jones			—21

## Nays:

—0

## The Bill:

S. 617. Relating to counties having a population of not less than ninety-three thousand nine hundred or more than one hundred thirty-seven thousand inhabitants; increasing the jurisdiction of the inferior court of such counties and providing additional compensation for the judge thereof for the performance of the additional duties resulting from such increased jurisdiction.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

## Yeas:

Messrs.:	Fant	Hollis	Sollie	
Benson	Farmer	Jones	Thagard	
Boutwell	Faulkner	McCary	Todd	
Byars	Foster	Norrell	Whatley	
Clayton	Golson	Skidmore	Wright	
Eddins	High			—21

## Nays:

—0

## The Bill:

S. 620. To impose extra, new, and additional duties upon the members of the County Governing Body of Clarke County, Alabama; and to provide additional compensation for the performance of such duties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

## Yeas:

Messrs.:	Hollis	Pinson	Sollie	
Benson	Jones	Quarles	Thagard	
Faulkner	Larkins	Reneau	Todd	
Foster	Locke (Choctaw)	Richardson	Whatley	
Golson	Norrell	Smith	Wright	
High	Phillips			—21

*Nays:*

—0

**The Bill:**

S. 621. To create in all cities in the State of Alabama, having a population of not less than seventy-eight thousand and not more than two hundred fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as "Municipal Employees Pension and Relief Funds;" to provide for the setting apart of such funds; to create a pension and relief system applicable to all municipal employees in such cities, except Policemen and firemen; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a capitol board of pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO S. B. 621

Amend S. B. 621 by striking from the title and body thereof the words "seventy-eight thousand" wherever it appears therein and inserting in lieu thereof the words "seventy-eight thousand five hundred."

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Jones	Sollie
<b>Benson</b>	Farmer	McCary	Thagard
Boutwell	Golson	Norrell	Todd
Byars	High	Phillips	Whatley
Clayton	Hollis	Smith	Wright
Eddins	Johnston (Mobile)		

—21

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Johnston (Mobile)			—21

Nays:

—0

The Bill:

S. 622. To authorize all cities or towns in the State of Alabama, having a population of 78,000 and not more than 200,000 according to the last or any subsequent Federal Census to make any compromise or settlement of any paving tax assessment or bill for past due tax on the paving of streets, boulevards or highways adjoining any property owned by any person, firm or corporation within the city limits of such city for such amount and on such terms as in the judgment of the city commission or other governing body may be deemed proper.

was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO S. B. 622

Amend S. B. 622 by striking from the title and body thereof the figure "78,000" wherever it appears therein and inserting in lieu thereof the figure "78,500."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Sollie	
Benson	Farmer	Larkins	Thagard	
Boutwell	Foster	McCary	Todd	
Byars	Golson	Norrell	Whatley	
Clayton	High	Smith	Wright	
Eddins	Hollis			—21

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Sollie	
Benson	Farmer	Larkins	Thagard	
Boutwell	Foster	McCary	Todd	
Byars	Golson	Norrell	Whatley	
Clayton	High	Smith	Wright	
Eddins	Hollis			—21

Nays:

—0

The Bill:

S. 623. To authorize all cities which now have or which may in the

future have a population of not less than 78,000 and not more than 250,000 according to the last or any subsequent Federal Census, to use a portion of license taxes from fire insurance companies, and from general license taxes collected, certain percentages sufficient to pay Policemen's and Firemen's Pensions that have been granted and which should be paid out of Pension and Relief Funds set up for them.

was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO S. B. 623

Amend S. B. 623 by striking from the title and body thereof the figure "78,000" wherever it appears therein and inserting in lieu thereof the figure "78,500."

Which was adopted.

Yeas 21; Nays 0.

#### Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

#### Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

#### Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

#### Nays:

—0

#### The Bill:

S. 624. To require the governing bodies of cities in this State, which according to the last or any subsequent Federal Census have a population of as much as 78,000 and not more than 250,000 inhabitants, before making final any assessment for any public or improvements, to cause the city clerk to mail a bill therefor to the owner of such property, as shown on the assessment roll or assessment book prepared in accordance with the provisions of Section 530 of Title 37 of the Alabama Code of 1940, and providing further that no defect or alteration in any such bill, nor error in addressing the same, or in the address of the owner, or mistake of the city clerk in sending the bill to the wrong address, nor failure of the owner or addressee to receive the same, shall affect or invalidate any such assessment, and providing that the certificate of the City Clerk appended to the assessment roll, or inserted in the assessment book, to the effect that such clerk has mailed bills in accordance with the requirements of this Act, shall in all courts and in all proceedings be taken

and considered as prima facie establishing the fact of compliance herewith, and providing a penalty upon any city clerk who shall neglect to perform the duties herein required of him.

was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO S. B. 624

Amend S. B. 624 by striking from the title and body thereof the figure "78,000" wherever it appears therein and inserting in lieu thereof the figure "78,500."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie
Benson	Farmer	McCary	Thagard
Boutwell	Golson	Norrell	Todd
Byars	High	Phillips	Whatley
Clayton	Johnston (Mobile)	Smith	Wright
Eddins	Jones		

—21

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie
Benson	Farmer	McCary	Thagard
Boutwell	Golson	Norrell	Todd
Byars	High	Phillips	Whatley
Clayton	Johnston (Mobile)	Smith	Wright
Eddins	Jones		

—21

Nays:

—0

The Bill:

S. 625. Providing that in all cities in the State having a population of not less than seventy eight thousand and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO S. B. 625

Amend S. B. 625 by striking from the title and body thereof the

words "seventy eight thousand" wherever they appear therein and inserting in lieu thereof the words "seventy-eight thousand five hundred."

Which was adopted.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

**Nays:**

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

**Nays:**

—0

The Bill:

S. 626. To create in all cities in the State of Alabama having a population of not less than seventy eight thousand and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as "Policemen's and Fireman's Pension and Relief Funds" to provide for the setting apart of such funds, to create a Pension and Relief System applicable to the members of the Police and Fire Departments in said cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise: to provide payments for disabled members of the Police and Fire Departments in said cities during their disability, and for the retirement of such members on pension either by reason of term of office or disability; to provide for the pensioning of members of such Police and Fire Departments after service therein; to provide for the appropriation for funeral expenses upon the death of such member: to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds, and for the appointment of trustees and a board of pensions for all purposes in connection herewith; to provide penalties for violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

# AMENDMENT TO S. B. 626

Amend S. B. 626 by striking from the title and body thereof the words "seventy eight thousand" wherever they appear therein and inserting in lieu thereof the words "seventy-eight thousand five hundred."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

Nays: —0

The Bill:

S. 628. To amend Sections five, eight and eleven of an Act entitled An Act, to abolish the Board of Revenue of Baldwin County, Alabama to establish in lieu thereof a Commission form of Government for such County to consist of a Commission of four members and to be a Court of Record and to be known as the County Commission; to provide for the designation, appointment and election of the members thereof and prescribe and limit their duties, powers, jurisdiction, authority and privileges and to authorize and direct them to distribute the duties, powers, jurisdiction, authority and privileges of such County Commission into four divisions as follows: First, Chairman and Purchasing Division; Second, Road and Bridge Division; Third, Finance and Taxation Division; Fourth, Industrial and Civic Division; to fix the qualification of the members of such Commission, their term of office and their compensation; and to divide the County of Baldwin into Four Commission Districts, and to provide that members of such County Commission be designated, appointed or elected, one from each of said Commission Districts, approved May 29, 1931, Local Acts 1931, pages 100 et seq.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Jones	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Faulkner	Norrell	Todd	
Byars	Golson	Phillips	Whatley	
Clayton	High	Smith	Wright	
Eddins	Hollis			—21

*Nays:* —0

The Bill:

S. 629. To amend Section 467, Title 62 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

*Nays:* —0

The Bill:

S. 630. To amend Section 477, Title 62, Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

*Nays:* —0

The Bill:

S. 631. To amend Section 476, Title 62 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Clayton	Golson	Larkins
Benson	Eddins	High	McCary
Boutwell	Fant	Johnston (Mobile)	Norrell
Byars	Farmer	Jones	Phillips



Smith	Thagard	Whatley	Wright	
Sollie	Todd			—21
<i>Nays:</i>				—0

The Bill:

S. 632. To amend Section 478, Title 62 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

*Nays:* —0

The Bill:

S. 633. To provide that all persons who contribute to the Municipal Employees Pension Fund of the City of Mobile provided by Sections 465 through 491, Title 62, Code of 1940 and who have contributed to such funds for at least one full year, shall, upon their voluntary or involuntary separation from employment under circumstances other than circumstances entitling them to benefits, be entitled to repayment from the pension and retirement of amounts contributed by such person to the fund after the date of passage of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

*Nays:* —0

The Bill:

S. 636. Relating to counties having populations of not less than 28,900 nor more than 29,200 inhabitants; authorizing and directing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Quarles	
<b>Benson</b>	Farmer	McCary	Smith	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Phillips	Todd	
Clayton	Hollis	Pinson	Wright	
Eddins	Jones			—21

*Nays:* —0

The Bill:

S. 637. To create and establish hospital commissions in counties having a population of not less than seventy-three thousand one hundred nor more than ninety-three thousand five hundred inhabitants; prescribing the duties, powers, and authority of such commissions.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
<b>Benson</b>	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

*Nays:* —0

The Bill:

H. 822. To authorize and require the City of Mobile to hereafter pay and reimburse the County of Mobile a portion of the cost of operating, maintaining and keeping in repair the Mobile County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons; to prescribe how Mobile County shall keep an account of such expenditures and present its claim therefor to the City of Mobile and the time of payment thereof by the City of Mobile; to prescribe a rule of evidence in any suit or suits hereafter brought by the County of Mobile against the City of Mobile to recover of the City of Mobile its proportionate part of any such expenditures; to provide how admissions to said hospital shall be made, and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
<b>Benson</b>	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Johnston (Mobile)	Smith	Wright	
Eddins	Jones			—21

*Nays:* —0

The Bill:

H. 930. Relating to the Twentieth Judicial Circuit, which is composed of Houston and Henry Counties; fixing the compensation of the

official court reporter of such circuit and providing for the payment thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays:

—0

The Bill:

H. 947. To make it unlawful to hunt, take, catch, kill or to attempt to take, catch or kill pheasant or grouse in Clay, Cleburne or Randolph Counties; and prescribing penalties for violations of the Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays:

—0

The Bill:

H. 981. To amend Section 12 of Act No. 131 adopted at the 1949 Regular Session of the Legislature of Alabama, approved June 23, 1949, (Acts of Alabama of 1949, Regular Session, Page 157), which Act created and established a Board of Revenue in and for Colbert County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays:

—0

The Bill:

H. 982. To fix the compensation of the Tax Assessor of Talladega County for assessing and the Tax Collector of Talladega County for collecting municipal ad valorem taxes of motor vehicles for municipalities in Talladega County, Alabama, under Title 51, Section 704 of the Code of Alabama of 1940, as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

*Nays:*

—0

**The Bill:**

H. 983. To fix the compensation of the Tax Assessor of Talladega County for assessing and the Tax Collector of Talladega County for collecting municipal ad valorem taxes in those municipalities in Talladega County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

*Nays:*

—0

**The Bill:**

H. 989. Relating to cities having a population of as many as 35,000 and less than 75,000 inhabitants; amending further the Act approved July 9, 1943, which created and established a retirement system for policemen and firemen of such cities (Act No. 379, H. 786, General Acts, 1943, p. 349).

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

*Nays:*

—0

**The Bill:**

H. 990. To alter, rearrange and extend the boundaries of the City of Leeds.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays: —0

The Bill:

H. 992. To alter, rearrange and extend the boundaries of the City of Sylacauga in Talladega County.

was taken up.

Mr. Wright offered the following amendment to the Bill, to-wit:

Amendment to H. B. 992

Amend Sec. 1 of H. B. 992 by striking out the words "Township 21 South" wherever the same appear together therein and inserting in lieu thereof the words, Township 22 South.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays: —0

The Bill:

H. 993. Relating to the municipality of Ozark in Dale County; to alter, rearrange and extend the boundaries of the City of Ozark.

Was read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Fant	Larkins	Sollie
Benson	Farmer	McCary	Thagard
Boutwell	Golson	Norrell	Todd
Byars	High	Phillips	Whatley
Clayton	Hollis	Smith	Wright
Eddins	Jones		

—21

**Nays:**

—0

**The Bill:**

H. 385. To amend Section 785, Title 51, Code of Alabama (1940), which relates to the discount allowed for collection of sales taxes.

Was read a third time at length and passed.

Yeas 28; Nays 0.

**Yeas:**

Messrs.:	Farmer	Larkins	Reneau
Benson	Faulkner	Locke (Choctaw)	Richardson
Bonner	Foster	Locke (Perry)	Robison
Boutwell	High	McCary	Skidmore
Byars	Hollis	Norrell	Smith
Clayton	Johnson (Chambers)	Phillips	Sollie
Eddins	Jones	Pinson	Thagard
Fant			

—28

**Nays:**

—0

**The Bill:**

H. 724. To amend Section 776, Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act No. 56, General Acts of Alabama 1947, page 24, approved July 7, 1947.

Was read a third time at length and passed.

Yeas 30; Nays 0.

**Yeas:**

Messrs.:	Farmer	Larkins	Richardson
Benson	Faulkner	Locke (Choctaw)	Robison
Bonner	Foster	Locke (Perry)	Smith
Boutwell	Golson	McCary	Sollie
Byars	High	Phillips	Thagard
Clayton	Hollis	Pinson	Todd
Eddins	Johnson (Chambers)	Quarles	Whatley
Fant	Jones	Reneau	

—30

**Nays:**

—0

**The Bill:**

H. 984. To amend Sections 35 and 36 of an act entitled "An Act To provide for and regulate the assessment, levy and collection of Municipal taxes of the city of Opelika, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said city of Opelika, and to make the Tax Collector of Lee County, Alabama, ex-officio collector of property taxes for the said city of Opelika.", approved September 2, 1935.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays:

—0

The Bill:

H. 985. To amend Section 36 of an act entitled "An Act To provide for and regulate the assessment, levy and collection of Municipal taxes of the City of Auburn, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said City of Auburn, and to make the Tax Collector of Lee County, Alabama ex-officio collector of property taxes for said City of Auburn.", approved July 17, 1935.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays:

—0

The Bill:

H. 812. To create a fund in the State Treasury to be known as the Mansion Fund; to define the purposes for which said fund may be used and the manner of making withdrawals therefrom; to provide for the appropriation thereto; to repeal all laws in conflict herewith; and to provide the effective date of this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Foster	Locke (Choctaw)	Skidmore	
Benson	High	Locke (Perry)	Smith	
Boutwell	Hollis	Phillips	Sollie	
Byars	Johnson (Chambers)	Reneau	Thagard	
Clayton	Jones	Richardson	Todd	
Fant	Larkins	Robison	Whatley	
Farmer				—24

Nays:

—0

The Bill:

H. 809. To abolish the fund in the State Treasury known as the Governor's Contingent Fund and to repeal Section 179, Title 55, Code of Alabama 1940, which relates to the Governor's Contingent Fund.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Richardson
Benson	High	Locke (Choctaw)	Robison
Boutwell	Hollis	Locke (Perry)	Skidmore
Byars	Johnson (Chambers)	McCary	Smith
Eddins	Johnston (Mobile)	Phillips	Thagard
Fant	Jones	Pinson	Wright

—23

Nays:

—0

The Bill:

H. 642. To make an additional appropriation to the State Board of Education in the sum of three thousand (\$3,000.00) dollars to be expended for regional education and to be paid out of any funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Richardson
Benson	Faulkner	Larkins	Robison
Boutwell	High	Locke (Choctaw)	Skidmore
Byars	Hollis	Locke (Perry)	Smith
Clayton	Johnson (Chambers)	Norrell	Thagard
Eddins	Johnston (Mobile)	Pinson	Wright
Fant			

—24

Nays:

—0

#### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Todd, further consideration of the Bill, H. B. 758, was indefinitely postponed by the Senate.

On motion of Mr. Faulkner, further consideration of the Bill, S. B. 424, was indefinitely postponed by the Senate.

On motion of Mr. Boutwell, further consideration of the Bill, S. B. 89, was indefinitely postponed by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions and House Bills, your signature thereto is requested.

H. J. R. 106. Relative to extending deep appreciation to Armed Forces in Korea.

Also:

H. J. R. 109. Relative to designating Senate Bill No. 235.

Also:

H. 590. To impose additional duties upon the chairman and associate members of the Board of Revenue of DeKalb County, Alabama, and providing additional compensation therefor.



Also:

H. 781. Relating to Clarke County; providing for the election of the members and chairman of the county board of education, with the members to be elected by districts and the chairman to be elected at large.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 545. To amend Act No. 255, H. 313, approved June 24, 1943 (General Acts of Alabama, 1943, pp. 226-228), entitled "An Act to provide for the disposition and use of the profits, including all tax levied upon the selling prices of all spirituous or vinous liquors, less all cost and expense of collecting said tax, of the Alabama Liquor Stores operated under the Alcoholic Beverage Control Board of Alabama."

Was read a third time at length and passed.

Yeas 20; Nays 4.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Richardson
Benson	Foster	Locke (Perry)	Smith
Boutwell	High	Norrell	Thagard
Byars	Hollis	Pinson	Whately
Eddins	Jones	Quarles	Wright
Fant			

—20

Nays:

Messrs.:	Johnson (Chambers)	Reneau	Robison
Clayton			

—4

The Bill:

S. 601. To amend Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act to regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," as amended.

and substitute, as amended, which said substitute as amended, was adopted by the Senate on the Thirtieth Legislative Day, and is set out in the Journal of the Senate for the Thirtieth Legislative Day, was taken up.

Said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Foster	Norrell	Robison
Benson	High	Phillips	Smith
Boutwell	Hollis	Pinson	Sollie
Byars	Johnson (Chambers)	Quarles	Thagard
Clayton	Jones	Reneau	Whatley
Fant	Locke (Perry)	Richardson	Wright
Farmer			

—24

Nays:

—0

The Bill:

S. 435. To amend Article 2, Chapter 40, of Title 14 of the 1940 Code of Alabama, which relates to pistols.

was taken up.

Mr. Thagard offered the following amendment to the Bill, to-wit:

Amend S. B. 435 as follows:

1. Section designated as Section 175 of said bill is hereby amended by striking from the second line of said section the words "either openly or" where the same appear together therein.

2. Section designated as Section 177 of said bill is hereby amended (a) by striking from the fifth line of said Section the words "or openly" where the same appear together, and (b) by striking from said section that sentence reading as follows: "The Sheriff shall, at the county's expense, on or before the fifteenth day of each January, publish in some newspaper published or in general circulation in his county, a list of the names of persons to whom permits have been issued by him during the preceding year and the reason given for desiring a license."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Smith
Benson	Foster	Locke (Perry)	Sollie
Boutwell	Golson	McCary	Thagard
Byars	High	Norrell	Todd
Clayton	Hollis	Phillips	Whatley
Eddins	Johnson (Chambers)	Robison	Wright
Fant	Jones		

—25

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Boutwell	Clayton	Fant
Benson	Byars	Eddins	Faulkner

Foster	Locke (Choctaw)	Reneau	Sollie	
High	McCary	Richardson	Thagard	
Hollis	Norrell	Robison	Todd	
Johnson (Chambers)	Phillips	Skidmore	Whatley	
Johnston (Mobile)	Pinson	Smith	Wright	—28
Jones				
Nay:	Mr. Golson			—1

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 157. To assent to the provisions of the Act of Congress entitled "An Act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved 9 August 1950.

Also:

S. 457. Relating to the Teachers' Retirement System; to allow prior service credit for military service during World War I.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Mathews:

H. 998. To make an additional appropriation to the Department of Archives and History to increase the salaries of the military and the civil archivist and the senior librarian.

Also:

By Messrs. Scruggs and Fite (Marion):

H. 986. To amend Section 1 of Act No. 128 of the regular session of the Legislature of Alabama of 1949, approved June 23, 1949, entitled "AN ACT To provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this State as to doing business herein shall be deemed to have appointed the Secretary of State, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served; and for other purposes" and to provide to what proceedings this Act is applicable.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 998—To the Committee on Finance and Taxation.

H. B. 986—To the Committee on Judiciary.

## RECESS

At 12:10 P. M., on motion of Mr. Boutwell, the Senate took a recess until 2:15 this afternoon.

AFTERNOON SESSION  
THIRTY-FIRST LEGISLATIVE DAY

TUESDAY, AUGUST 21, 1951

The Senate reassembled at 2:15 P. M., Lieutenant-Governor Allen presiding.

## ROLL CALL

Present:

Messrs.:	Faulkner	Locke (Chectaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whately
Fant	Jones	Reneau	Wright
Farmer	Larkins	Richardson	

—34

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 157. To assent to the provisions of the Act of Congress entitled "An Act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved 9 August 1950.

Also:

S. 457. Relating to the Teachers' Retirement System; to allow prior service credit for military service during World War I.

HERBERT B. BYARS,  
Chairman.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

## OPINION RENDERED

On motion of Mr. Robison, the opinion rendered by the Supreme Court, which was requested under Senate Resolution 35 relative to Senate Bill 436, was read and ordered filed with the Secretary.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 605. To validate and confirm any election held pursuant to or as authorized by the Constitutional Amendment submitted by Act No. 1, H. 15, as passed by the Legislature at the Fourth Special Session of 1950.

Also:

H. 665. To amend Sections 2 and 3 of Act No. 122 of the General Acts of the Alabama Legislature of 1951 entitled "To Propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Franklin County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Franklin County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities."

Also:

H. 668. To repeal Act No. 27, adopted at the Fifth Special Session of the Legislature of Alabama held during the year 1950, which proposed and provided for the submission of an amendment to the Constitution of Alabama relating to Colbert County for the purpose of validating Act No. 485 adopted at the Regular Session of the Legislature of Alabama of 1949.

Also:

H. 988. To Propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Walker County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Walker County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 822. To authorize and require the City of Mobile to hereafter pay and reimburse the County of Mobile a portion of the cost of operating, maintaining and keeping in repair the Mobile County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons; to prescribe how Mobile County shall keep an account of such expenditures and present its claim therefor to the City of Mobile and the time of payment thereof by the City of Mobile; to prescribe a rule of evidence in any suit or suits hereafter brought by the County of Mobile against the City of Mobile to recover of the City of Mobile its proportionate part of any such expenditures; to provide how admissions to said hospital shall be made, and to repeal all laws in conflict herewith.

Also:

H. 930. Relating to the Twentieth Judicial Circuit, which is composed of Houston and Henry Counties; fixing the compensation of the official court reporter of such circuit and providing for the payment thereof.

Also:

H. 947. To make it unlawful to hunt, take, catch, kill or to attempt to take, catch or kill pheasant or grouse in Clay, Cleburne or Randolph Counties; and prescribing penalties for violations of the Act.

Also:

H. 981. To amend Section 12 of Act No. 131 adopted at the 1949 Regular Session of the Legislature of Alabama, approved June 23, 1949, (Acts of Alabama of 1949, Regular Session, Page 157), which Act created and established a Board of Revenue in and for Colbert County, Alabama.

Also:

H. 982. To fix the compensation of the Tax Assessor of Talladega County for assessing and the Tax Collector of Talladega County for collecting municipal ad valorem taxes of motor vehicles for municipalities in Talladega County, Alabama, under Title 51, Section 704 of the Code of Alabama of 1940, as amended.

Also:

H. 983. To fix the compensation of the Tax Assessor of Talladega County for assessing and the Tax Collector of Talladega County for collecting municipal ad valorem taxes in those municipalities in Talladega County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

Also:

H. 989. Relating to cities having a population of as many as 35,000 and less than 75,000 inhabitants; amending further the Act approved July 9, 1943, which created and established a retirement system for policemen and firemen of such cities (Act No. 379, H. 786, General Acts, 1943, p. 349).

Also:

H. 990. To alter, rearrange and extend the boundaries of the City of Leeds.

Also:

H. 993. Relating to the municipality of Ozark in Dale County; to alter, rearrange and extend the boundaries of the City of Ozark.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Scruggs and Plott:

H. B. 246. To prescribe additional penalties for persons convicted of driving upon the highways of this state while intoxicated.

And ordered same sent forthwith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 246—To the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Edgar:

H. 965. Relating to the mode of cancelling teachers' contracts; amending Section 357, Title 52, Code of Alabama (1940).

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 965—To the Committee on Education.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 992. To alter, rearrange and extend the boundaries of the City of Sylacauga in Talladega County.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Russell:

H. J. R. 112. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 24, 1951.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The above Resolution was read and referred to the Standing Committee on Rules.

#### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Reneau:

S. B. 668. To provide for the statute of limitations of three years in which to assess sales tax levied under Article 10, Chapter 20, Title 51, Code of Alabama 1940, after same becomes in default; the tolling of the statute of limitations; the severability of the Act; the repeal of laws in conflict herewith; and the effective date of this Act.

Committee on Judiciary.

By Mr. Skidmore:

S. B. 669. Relating to Tuscaloosa County; providing that the Sheriff of said county may from time to time designate which of his deputies shall serve as chief deputy.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF TUSCALOOSA

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Tuscaloosa County; providing that the Sheriff of said county may from time to time designate which of his deputies shall serve as chief deputy.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Tuscaloosa County may from time to time in his discretion designate which of his deputies shall be and act as his



chief deputy, the provision of the county civil service act, or any rule or regulation promulgated in pursuance thereof to the contrary notwithstanding.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 23—30; Aug. 6—13—4tc

#### PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 23, July 30, August 6, and August 13, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me Aug. 14, 1951.

LILLA COLLINS,  
Notary Public.

By Mr. Norrell:

S. B. 670. To provide that in all counties having a population of not less than 13,500 nor more than 15,500, the Board of County Commissioners' Board of Revenue, or other like governing boards may designate one or more State or National Banks as the County Depository.

Committee on Local Legislation.

By Mr. Johnston (Mobile):

S. B. 671. To amend Act No. 49, General Acts of Alabama 1947, approved 1 July 1947.

Committee on Finance and Taxation.

By Mr. Larkins:

S. B. 672. To impose extra, new, and additional duties upon the members of the county governing body of any county of the State having a population of not less than thirty thousand (30,000) nor more than thirty-three thousand five hundred (33,500) inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Committee on Local Legislation.

#### REPORTS OF COMMITTEES

Mr. Phillips, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill, and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCary:

S. 642. Relating to insurance; regulating insurance companies engaged as multiple-line carriers.

Mr. Whatley, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the

Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCary:

S. 645. To amend Section 363 of Title 37 of the Code of Alabama of 1940 so as to enlarge the powers of cities and towns with respect to waterworks plants and systems.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Larkins (With notice and proof):

S. 650. Relating to the municipality of Elba in Coffee County: To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Elba.

By Messrs. Gallalee, Pflieger and Wilkins:

H. 972. To further regulate primary and general elections of Circuit Judges in the 13th Judicial Circuit of the State of Alabama.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Johnson (Chambers), Boutwell, Faulkner, Phillips, Byars, Andrews and Wright (With amendment):

S. 651. To make an additional appropriation to the State Board of Education for the physical restoration of crippled children.

By Mr. Wright (With amendment):

S. 101. To provide a State scholarship program to promote the education of nurses; and making an appropriation therefor.

By Messrs. Adams (Jefferson), Morgan (Jefferson), Adams (Tallapoosa), Roberson (With amendments):

H. 475. To eliminate the reckless and irresponsible driver of motor vehicles from the highways of the State of Alabama; to provide for the giving of security and proof of financial responsibility by owners and operators of motor vehicles; to define words and phrases in said Act; to provide for the administration and enforcement of said Act by the Director of Public Safety of the State of Alabama and to prescribe his powers and duties; to provide for an operating record; to provide for appeals from his orders and decisions; to provide for the making of reports following a motor vehicle accident, and giving of security in case of a motor vehicle accident involving property damage in excess of \$50.00 or personal injuries to, or death of any person; to provide for certain exceptions where evidence of existing insurance is furnished; to provide certain further exceptions to requirements of the Act; to provide for the suspension of licenses and registration of motor vehicles, and duration thereof; to provide that the Act shall apply to non-residents, unlicensed drivers and unregistered motor vehicles and shall apply in certain instances to accidents in other states; to provide the form and amount of security; to provide for the custody, disposition and return of security; to provide matters not to be evidence in civil suits; to provide for reports on the non-payment of judgments; to provide for the suspension of licenses and registration for non-payment of judgments; to provide for the suspension until judgment paid or until proof given; to provide for the payment of judgments by installments; to provide for the proof required to be furnished upon certain convictions; to provide alternative methods of giving

proof of financial responsibility, including a certificate of any insurance carrier that has in effect a motor vehicle liability policy; to provide certificates furnished by non-residents, owners of motor vehicles in the state; to define a motor vehicle liability policy; to provide for cancellation or termination of policies, and that this act shall not affect other policies; to provide for bond for proof of financial responsibility, amount of security, where deposited and type of security; to provide for money or securities as proof of financial responsibility; to prohibit a transfer of registration to defeat purposes of Act; to provide penalties for the violation of the provisions of this Act; to provide for surrender of licenses and registration; to provide for self-insurers; to provide Act not to apply to any motor vehicle owned by the United States, State of Alabama, or any political subdivision of this State, or any municipality; to provide that certain provisions of Act not to apply to certain motor vehicles subject to supervision and regulation of the Alabama Public Service Commission; to provide certain powers and duties of the Superintendent of Insurance with respect to approval of plans for equitable apportionment among insurance companies of applicants for insurance who cannot obtain insurance by ordinary methods, and provide for appeals to the courts from decisions of said Superintendent of Insurance respecting such plans; to provide that this Act shall not prevent use of other process; to provide for uniformity of interpretation; to provide that if part of Act be held unconstitutional it shall not affect remaining parts of Act; to provide that this Act may be cited as the Motor Vehicle Safety-Responsibility Act; to authorize the Director of Public Safety, subject to provision of the Merit System, to appoint employees necessary to discharge the duties imposed by this Act; to declare that this Act is supplemental to the State Motor Vehicle Laws; to repeal Act No. 276, approved August 6, 1947, Acts 1947, Page 121, known as the Alabama Motor Vehicle Responsibility Act; to appropriate the sum of \$100,000.00 or so much thereof as may be necessary for the purposes set forth in this Act; to provide the effective date of this Act and a repeal of all acts and parts of acts in conflict herewith.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Russell and Harrison (Shelby):

H. 811. Relating to license inspectors and their duties; amending Section 835, Title 51, Code of Alabama (1940).

By Mr. Edgar:

H. 951. Relating to the assessment of taxes; amending Sections 39, 40, 41, 42, and 43 of Title 51, Code of Alabama (1940).

Mr. Boutwell, Chairman of the Standing Committee, on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dawkins, Hall, Tennille and Sellers (With amendment):

H. 77. Relating to the education of handicapped children: providing for their training in the public schools; authorizing their admittance to school upon reaching the age of three years; providing for the issuance of teachers' certificates to persons trained in the education of such children and providing that teachers who have had specialized training in teaching such children shall be given credit for such training in determining their compensation; and providing for the payment of the costs of transporting such children to and from school in cities; authorizing the State Board of Education to expend funds for the care of such children of the "custodial type" and making an appropriation therefor.

## BILLS ON THIRD READING

## The Bill:

S. 431. To amend Section 257 of Title 13 of the 1940 Code of Alabama, as amended by Act 103 of the 1949 Legislature which relates to Salaries of Deputy Solicitors.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 27; Nays 0.

## Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Boutwell	Golson	Norrell	Smith
Byars	Hollis	Phillips	Sollie
Eddins	Johnson (Chambers)	Pinson	Todd
Fant	Johnston (Mobile)	Reneau	Whatley
Farmer	Jones	Richardson	Wright

—27

## Nays:

—0

## The Bill:

S. 576. To provide that persons employed in an administrative or research capacity by the Agricultural Experiment Station of the Alabama Polytechnic Institute may become members of the Teachers' Retirement System and shall receive all of the benefits provided for the teachers under the provisions of Chapter 14 of Title 52, Code of Alabama (1940); and to make an appropriation to carry out the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 31; Nays 0.

## Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison
Benson	Faulkner	Locke (Perry)	Skidmore
Bonner	Foster	McCary	Smith
Boutwell	Golson	Phillips	Sollie
Byars	Hollis	Pinson	Thagard
Clayton	Johnson (Chambers)	Quarles	Todd
Eddins	Johnston (Mobile)	Reneau	Whatley
Fant	Jones	Richardson	Wright

—31

## Nays:

—0

## The Bill:

H. 801. To authorize the Agricultural Center Board to lease the coliseum building and any facilities necessary in connection therewith forming a part of the Alabama Agricultural Center from any public corporation organized for the purpose of completing and equipping said coliseum building and facilities; to specify provisions for said lease; to authorize the said board to operate the properties leased and make contracts respecting the same and charges in connection therewith; to provide that said lease shall not constitute or give rise to an indebtedness of the state and that the rentals thereunder shall be payable solely out of moneys in the Agricultural Center Fund derived from the operation of the properties so leased and, to the extent to which such revenues may not be suf-

ficient to pay said rentals and the operating and administrative expenses of the board, out of moneys accruing to the Agricultural Fund under the provisions of Section 31 of Title 2 of the Code of 1940, and to make continuing appropriations therefor out of said funds; to repeal Sections 2 and 4 of Act Number 282 adopted at the 1945 Regular Session of the Legislature of Alabama; and to specify the effective date of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 3.

Yeas:

Messrs.:	Golson	Pinson	Smith
Benson	Hollis	Quarles	Sollie
Byars	Johnston (Mobile)	Reneau	Thagard
Clayton	Jones	Richardson	Todd
Eddins	Locke (Choctaw)	Robison	Whatley
Fant	Norrell	Skidmore	Wright
Foster	Phillips		

—25

Nays: Messrs.: Farmer, Johnson (Chambers), and Locke (Perry) —3

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Robison, further consideration of the Bill, S. B. 590, was indefinitely postponed by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 496. Relating to the administration of pardons, paroles, and the remission of fines and forfeitures; amending Chapter 1, Title 42, Code of Alabama (1940).

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Johnston (Mobile), the Senate concurred in and adopted the following House amendment to the Bill, S. B. 496, the title of which is set out in the foregoing Message from the House.

#### AMENDMENT TO SENATE BILL NO. 496

Amend Section 8 of Senate Bill No. 496 by substituting a semicolon for the period at the end of the next to the last sentence of said section, and adding immediately following said semicolon, the following:

“provided, however, this shall not apply in the case of a parolee whose employer, at the time of the parolee’s original employment, was not a state official.”

Also:

Section 18 (1) of Senate Bill No. 496 is hereby amended by striking out the words:

“malfeasance in office” and substituting therefor the words:

"offense as defined by Section 221, Title 41, of the Alabama Code of 1940"

Yeas 30; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Perry)	Skidmore	
Benson	Foster	McCary	Smith	
Boutwell	Golson	Phillips	Sollie	
Byars	Hollis	Pinson	Thagard	
Clayton	Johnson (Chambers)	Quarles	Todd	
Eddins	Johnston (Mobile)	Reneau	Whatley	
Fant	Jones	Richardson	Wright	
Farmer	Locke (Choctaw)	Robison		—30

Nays:

—0

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Trustees of the State Training School For Girls.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 21, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Board of Trustees of the State Training School for Girls:

Mrs. Rosa McPherson.....Silas  
1st District—For the term expiring May 28, 1957

Miss Margaret McFall.....Montgomery  
2nd District—For the term expiring May 28, 1957

Mrs. Katherine Harper.....Auburn  
3rd District—For the term expiring May 28, 1957

Mrs. Helen N. Macon.....Wetumpka  
4th District—For the term expiring May 28, 1957

Honorable Russell Thomas.....Alexander City  
5th District—Succeeding E. L. Roberts, Gadsden, resigned, for the term  
expiring May 28, 1953.

Respectfully,

GORDON PERSONS,  
Governor.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of the State Training School for Girls, was read and referred to the Standing Committee on Rules.

## RESOLUTION

Messrs. Johnson (Chambers) and Skidmore offered the following Senate Resolution, to-wit:

S. R. 74. WHEREAS, the Honorable Dudley J. LeBlanc, a distinguished member of the Senate of Louisiana and nationally famous for his sponsorship of Hadacol is a visitor to Montgomery on this date, and

WHEREAS, the Honorable Dudley J. LeBlanc is also a distinguished and outstanding American and a favorite of thousands of Alabamians,

THEREFORE, BE IT RESOLVED by the Senate that an invitation be extended Senator LeBlanc to visit and address the Senate of Alabama for five minutes at 3:45 p. m. on this the 21st day of August, 1951.

Which was read and referred to the Standing Committee on Rules.

## CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Robison, further consideration of the Bill, S. B. 589, was indefinitely postponed by the Senate.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 800. To authorize the creation of a public corporation for the purpose of completing the construction and equipment of the coliseum building and necessary facilities in connection therewith located in the Alabama Agricultural Center; to authorize the conveyance to the said corporation by the state of the said coliseum building in its present uncompleted condition together with lands in connection therewith; to authorize the issuance by said corporation of interest bearing revenue bonds, not exceeding \$1,250,000 in aggregate principal amount, for the purpose of completing the construction and equipment of the said coliseum building and necessary facilities in connection therewith and the improvement of said lands, to be payable solely out of the rentals received in the leasing of properties of said corporation; to make provisions respecting such bonds including a provision that they shall constitute negotiable instruments; to authorize the lease by the said corporation of all or any part of its properties to the Agricultural Center Board; to authorize, as security for said bonds, the pledge of said lease and the rentals payable thereunder and the creation of a lien on said rentals; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge and lien and to provide that such filing will constitute constructive notice thereof; to provide the use to which the proceeds from the sale of said bonds may be put; to specify conditions covering the letting of contracts for the completion of the construction and equipment of said coliseum building and necessary facilities in connection therewith; to authorize the issuance of refunding bonds by said corporation; to impose on the State Treasurer the duty of disbursing the proceeds of said bonds and said rentals; to provide that said bonds shall constitute legal investments for fiduciaries, savings banks and insurance companies and shall be eligible as security for the deposit of funds of the state and its instrumentalities; to exempt from taxation the properties of said corporation and the rentals derived therefrom, the said bonds and the income therefrom, and all lease agreements and pledge and lien instruments authorized hereunder; to provide for the publication of notice of the adoption of a resolution authorizing the issuance of said bonds and to specify a limitation of time thereafter for actions or defenses questioning the validity of said bonds or the pledge made therefor; and to provide for the dissolution of said corporation and the conveyance to the state of the properties of the corporation upon payment of its bonds and the obligations incurred by it under the provisions of this act.

Was read a third time at length and passed.

Yeas 24; Nays 3.

Yeas:

Messrs.:	Foster	Larkins	Robison
Benson	Golson	Locke (Choctaw)	Skidmore
Byars	High	McCary	Sollie
Clayton	Hollis	Pinson	Thagard
Eddins	Johnston (Mobile)	Reneau	Whatley
Fant	Jones	Richardson	Wright
Faulkner			

—24

Nays: Messrs.: Johnson (Chambers), Locke (Perry), Norrell —3

The Bill:

H. 960. To provide for meetings of the Board of Registrars in counties having a population of not less than eighty thousand nor more than one hundred fifty thousand inhabitants.

was taken up.

Mr. McCary offered the following amendment to the bill, to-wit:

Amend H. B. 960 as follows:

By striking the words "one hundred and fifty thousand" wherever they appear in the caption and body of said bill and substitute in lieu thereof the words "one hundred and thirty thousand"; and by striking the words "eighty thousand" wherever they appear in the caption and body of said bill and substitute in lieu thereof the words "seventy-five thousand".

By striking the words "at the courthouse" where same appears in Section 2 of said bill.

By adding at the end of Section 2 the following:

An applicant may register at the courthouse or at any other location in the county designated by the Board of Registrars.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Faulkner	Larkins	Richardson
Benson	Foster	Locke (Choctaw)	Robison
Boutwell	Golson	Locke (Perry)	Skidmore
Clayton	High	McCary	Sollie
Eddins	Hollis	Norrell	Whatley
Fant	Johnson (Chambers)	Pinson	Wright
Farmer	Johnston (Mobile)	Reneau	

—26

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Clayton	Fant
Benson	Byars	Eddins	Farmer



Golson	Larkins	Pinson	Sollie	
High	McCary	Quarles	Thagard	
Hollis	Norrell	Skidmore	Todd	
Jones	Phillips			—21
Nays:				—0

## The Bill:

H. 635. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for under-graduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics and agriculture.

Was read a third time at length and passed.

Yeas 26; Nays 1.

## Yeas:

Messrs.:	Foster	Locke (Perry)	Robison	
Boutwell	High	McCary	Smith	
Byars	Hollis	Phillips	Sollie	
Clayton	Johnson (Chambers)	Pinson	Thagard	
Fant	Johnston (Mobile)	Quarles	Todd	
Farmer	Jones	Reneau	Whatley	
Faulkner	Locke (Choctaw)	Richardson		—26

Nay: Mr. Bonner —1

## CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Boutwell, further consideration of the Bill, S. B. 234, was indefinitely postponed by the Senate.

## BILLS ON THIRD READING RESUMED

## The Bill:

S. 415. To provide for ownership and supervision of swamp and overflowed lands and swamp and overflowed indemnity lands. To provide for disposition of revenue derived from the sale or utilization of said lands.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 27; Nays 0.

## Yeas:

Messrs.:	High	McCary	Robison	
Boutwell	Hollis	Norrell	Skidmore	
Byars	Johnson (Chambers)	Phillips	Smith	
Clayton	Johnston (Mobile)	Pinson	Sollie	
Fant	Jones	Quarles	Thagard	
Farmer	Locke (Choctaw)	Reneau	Todd	
Faulkner	Locke (Perry)	Richardson	Wright	
				—27

Nays: —0

## RESOLUTION

Mr. Skidmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 75. Authorizing the Board of Trustees of the University of

Alabama to designate a dormitory for men athletic students as "The V. Hugo Friedman Hall".

Whereas, the Board of Trustees of the University of Alabama has indicated its disposition to designate a dormitory for men athletic students as "The V. Hugo Friedman Dormitory," in honor of V. Hugo Friedman, an alumnus of the University, a member of the University's Athletic Committee and for the past forty years or more intimately associated with the athletic affairs of the University; therefore,

Be It Resolved by the Senate of Alabama, the House of Representatives concurring, that The Board of Trustees of the University of Alabama is hereby authorized to designate the dormitory for men athletic students as "The V. Hugo Friedman Dormitory".

And the Rules were suspended and the Resolution adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Shelton:

H. 1053. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; authorizing the county governing body to pay the premiums on the official bonds of certain county employees.

Also:

By Mr. Shelton:

H. 1052. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; fixing the salaries of the chairman and associate members of the civil service boards of such counties.

Also:

By Messrs. Roberts and Russell:

H. 1032. To provide for a chief deputy sheriff and deputy sheriffs in all counties having a population of between 45,000 and 50,000 persons and to fix their compensation and to require payment of the same by the county governing body.

Also:

By Mr. Brannan:

H. 1046. Relating to Baldwin County; providing that the judge of the circuit court of Baldwin County shall be, ex officio, judge of the juvenile court.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF BALDWIN

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Baldwin County; providing that the judge of the circuit

court of Baldwin County shall be, ex officio, judge of the juvenile court.

Be It Enacted by the Legislature of Alabama:

Section 1. On and after the effective date of this Act the Judge of the circuit court of Baldwin County shall be, ex officio, judge of the juvenile court of said county. He shall perform all the functions and duties of the judge of the juvenile court, and have and exercise his authority, powers, and jurisdiction.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective October 1, 1951. 26-4tc.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jimmy Faulkner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, Aug. 2, and Aug. 9, all in the year 1951.

JIMMY FAULKNER.

Sworn to and subscribed before me August 13, 1951.

DOROTHY MARTIN,  
Notary Public.

Also:

By Mr. Coburn:

H. 1021. To Amend Sections 1, 3, 4, 5, 6, 7, 10, 13, 14, 17, 19, 22, 23, 27, 31, 32, 34, 36 of An Act Entitled, An Act "To Establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transactions of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," approved June 27, 1947.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### STATE OF ALABAMA COUNTY OF COLBERT

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To amend Sections 1, 3, 4, 5, 6, 7, 10, 13, 14, 17, 19, 22, 23, 27, 31, 32,

34, 36 of An Act Entitled, An Act "To Establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transactions of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," approved June 27, 1947.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section One of An Act of the Legislature entitled "An Act to Establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," and approved June 27, 1947, be amended so as to read as follows: Section One: That there is hereby established in and for Colbert County, Alabama, an inferior court of law, both civil and criminal, and of equity which shall be called Colbert Law and Equity Court, and which shall be a court of record, and which shall have and exercise concurrent jurisdiction now conferred or which hereafter may be conferred upon the several circuit courts of the State, provided, however, that in cases at law, the amount involved, exclusive of interest and costs, does not exceed Three Thousand Dollars (\$3,000.00) except, however, it is provided that in any civil action filed on the law side where a cross-action, counterclaim, set-off, or plea in recoupment is filed, claiming in excess of Three Thousand Dollars, (\$3,000.00), exclusive of interest and costs, the court shall have jurisdiction of said action and shall proceed with it to a conclusion; and further provided that the said Law and Equity Court shall not have jurisdiction to try persons charged with felonies and shall have criminal jurisdiction which Justices of the Peace formerly had in Colbert County and shall have concurrent jurisdiction with the Justice of the Peace Courts of Colbert County in all civil matters; and shall also have and exercise such further jurisdiction, authority, functions, and powers as are hereinafter conferred upon it by this Act.

Section 2. That Section Three of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Three: Vacancies in the office of the Judge of said Court shall be filled in the same manner as are vacancies in the office of the Judge of Circuit Courts are filled under the Constitution and Laws of the State of Alabama, now, or as may hereafter be provided.

Section 3. That Section Four of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Four: That the Clerk of the Circuit Court of Colbert County, Alabama, shall be ex-officio Clerk of the Colbert Law and Equity Court and shall have the same powers and discharge the same duties as clerks of the Circuit Courts, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees, commissions, and compensations as are now, or as may hereafter be, allowed to Circuit Clerks of Alabama, except as hereinafter provided, and the same shall be collected as such fees, commissions, and compensations are collected in the Circuit Courts; except, that in civil matters where suit

is brought for One Hundred Dollars or less, and in which the Plaintiff proceeds as if he were in a Justice of the Peace Court, only the fees, commissions and compensations allowed by law to the justices of the Peace shall be collected; and said Clerk shall exercise the same powers and perform the same duties as are exercised and performed in the Circuit Court, and that the said Clerk may provide a Deputy Clerk and the said Deputy Clerk shall aid the said Clerk in any duties that may be required of the office and said Deputy Clerk is hereby authorized to issue warrants of arrest on affidavit, returnable to the said Colbert Law and Equity Court. That the Register of the Circuit Court in Equity shall be ex-officio Register of the Colbert Law and Equity Court, and shall have the powers and discharge the duties which shall devolve upon the Register of the Colbert Law and Equity Court; and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, commissions, and compensations as are now, or as may hereafter be, allowed to the Register of Circuit Courts in Equity, and the same shall be collected as such fees are collected in Circuit Courts.

Section 4. That Section Five of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Five: That the Judge of said Court shall receive a salary of Six Thousand Dollars per annum, payable in equal monthly installments out of the County Treasury at the end of each month, his signed receipt being required.

Section 5. That Section Six of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Six: At the general election to be held in the year 1948 and at the general election to be held each sixth year thereafter, the Solicitor for the Colbert Law and Equity Court shall be elected by the qualified electors of Colbert County, Alabama, voting at said election. The term of office of each Solicitor so elected shall begin on the first Monday after the second Tuesday in January in the year following his election, and the term of office of such Solicitor shall be for a period of six years. The Solicitor for the said court before entering upon the duties of said office shall take the oath required by law to be taken by the Circuit Solicitors of Alabama. The said Solicitor shall be a qualified elector of Colbert County, Alabama; shall be a member of the Bar of Alabama in good standing; shall be learned in the law, and he shall be allowed to continue to practice law while acting as such Solicitor, except that he shall not represent defendants in any criminal cases in any courts in this state. The duties of said Solicitor shall be those now provided by law for Deputy Circuit Solicitors, and the said Solicitor shall prosecute for the State all causes in the said court; however, in addition to the duties now imposed upon the said Solicitor, he shall perform the following extra, new and additional duties:

(a) He shall carefully read and check the transcript of evidence in all criminal cases appealed from the Law and Equity Court to the Court of Appeals or to the Supreme Court of Alabama, including all appeals from Desertion and Non-Support Cases, and call to the attention of the trial Judge any errors or discrepancies that may appear in said transcript of evidence.

(b) He shall, whenever requested by the Attorney General of the State of Alabama, file memorandum briefs in all criminal cases appealed from the Law and Equity Court to the Court of Appeals or to the Supreme Court of Alabama.

(c) When requested to do so by the Judge he shall attend all hearings on any application for probation, or on any application for suspension of sentence in said Law and Equity Court, and furnish the trial Judge, or the Judge hearing the application with all information in his possession concerning the application for probation or suspension of sentence.

(d) When requested to do so by the Judge he shall prosecute in the Law and Equity Court all cases of Non-Support and Desertion.

Section 6. That Section Seven of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Seven: Vacancies in the office of the Solicitor of said court shall be filled in the same manner as are vacancies in the office of Circuit Solicitors as provided by the Constitution and laws of the State of Alabama, now, or as may hereafter be provided. The said Solicitor may be removed from office in the manner and for the causes now provided by law for the removal of Circuit Solicitors.

Section 7. That Section Ten of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Ten: The Judge of said Court may determine and fix the time of holding the sessions of said court for the trial of all cases, both civil and criminal; provided, however, that all civil and criminal cases in which no jury is demanded, shall be called for trial at least once in each calendar month, and for the trial of civil and criminal cases wherein juries have been demanded there shall be not less than two sessions of court each year, the time of said sessions to be fixed by the court by order entered upon the minutes of the court. Provided, however, that the court shall have the right and power to call extra-ordinary sessions of said court whenever in the judgment of the court the same as necessary.

Section 8. That Section Thirteen of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Thirteen: That all procedure, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the Colbert Law and Equity Court except as otherwise provided herein, and the Judge of said Colbert Law and Equity Court may, from time to time, adopt and enforce rules to facilitate and expedite the business of the court, not contrary to law, nor inconsistent with the rules established by the Supreme Court.

Section 9. That Section Fourteen of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Fourteen: Upon request of the Judge of the said court, the Sheriff of Colbert County shall, in person or by a Deputy, or Deputies, appointed by him, said appointment to be approved by the Judge of said court, be required to attend upon said court in preserving order, and execute all writs or process and perform such other duties, in all respects as in the Circuit Courts of this State, and each Deputy required, not exceeding three, for attendance upon said session of said court, shall receive the sum of Two Dollars per day, payable out of the County Treasury upon the warrant of the Judge of said Court, provided that such Deputies shall not receive pay except for the time that the court is actually in session and none of such compensation to the Deputies shall be shared in by the Sheriff, and for the service by the Sheriff of the process of said court, he shall receive such compensation as he receives under the law of the State of Alabama or any laws enacted in the future by the Legislature of Alabama for the compensation of the Sheriff for similar services in the Circuit Court, except as herein otherwise provided.

Section 10. That Section Seventeen of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Seventeen: That all civil cases are to be tried by the court without the intervention of a jury, unless at the time of filing the suit, the Plaintiff shall indorse in writing his demand for a jury trial on the Summons and Complaint, attachment or other process or paper filed by him for the purpose of instituting suit, or by filing a separate written demand with the Clerk of the Court at the commencement of the suit, or unless the Defendant or other party occupying the position of Defendant shall demand in writing a trial by jury within thirty days after the perfection of service on him, or unless the Claimant shall demand in writing a trial by jury at the time of filing his claim; provided, however, that all civil cases in which

Justices of the Peace have concurrent jurisdiction with the Colbert Law and Equity Court, and in which the Plaintiff proceeds as if he were in the Justice of the Peace Court, the Defendant or person occupying the position of defendant shall demand in writing a trial by jury within three days after the perfection of service upon him; and provided further that all civil cases involving less than Twenty Dollars, exclusive of costs, shall be tried without the intervention of a jury. All misdemeanor cases, except as herein otherwise expressly provided, shall be tried by the court without a jury unless a demand in writing for a jury trial be filed in the cause by the Defendant with the Clerk of the court on or before the first sounding of the cause after the Defendant has been arrested or taken into custody on an Affidavit and warrant returnable to the court or on an Indictment returnable to the Court, or on other proper process, if the cause is sounded within fifteen days after the Defendant has been so arrested or taken into custody; provided, however, that if the cause is not sounded within fifteen days after the Defendant has been so arrested or taken into custody, then the Defendant must demand a trial by jury in the manner provided within fifteen days after he has been so arrested or taken into custody; and provided further that it shall be deemed a sufficient demand in writing for a trial by jury if such demand is indorsed on a Bond by the Defendant either on, or before the first sounding of the cause, or prior to the expiration of fifteen days, whichever occurs first. A failure to demand in writing a trial by jury as herein provided shall be held and deemed to be a waiver by the defendant of a trial by jury.

Section 11. That Section Nineteen of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Nineteen: When the Summons, Writ of Attachment, Summons and Complaint in attachment, or other process, either in law or equity, has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within the time as now provided for defendants to appear and plead, answer, or demur in the Circuit Courts of the State of Alabama, in law and in equity; provided, however, that in all cases in which Justices of the Peace have concurrent jurisdiction with the Colbert Law and Equity Court, and in which the Plaintiff proceeds as if he were in a Justice of the Peace Court, the Defendant shall appear and plead, answer or demur within three days from the date of service of process upon him as required by law. If the Defendant fails to appear and plead, answer or demur as herein provided, he shall be in default, and on motion of the Plaintiff, Judgment by Default, or a decree pro confesso, may be rendered against him, and said judgment or decree may be set aside in the manner now, or which hereafter may be, provided by law. And the Court may by rule entered on the minutes of the court prescribe the time and manner of calling cases for judgment by default or decree pro confesso.

Section 12. That Section Twenty-two of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Twenty Two: That all Jurors for Colbert Law and Equity Court shall be summoned from the entire county; that the venire for said Court shall consist of not more than 50 jurors drawn as provided by law for the drawing and summoning of Jurors for the Circuit Courts of Alabama.

Section 13. That Section Twenty Three of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Twenty Three: Prosecutions for misdemeanors committed in Colbert County may be instituted in the said court by making an Affidavit before the Judge or the Clerk of said court, or any duly appointed Deputy Clerk thereof, the Writ on said Affidavit to be issued by the Judge or Clerk of said court, or any duly appointed Deputy Clerk thereof, and when the Defendant is arrested on said Affidavit and Warrant, the case shall go on the docket for trial, and be tried as though the Defendant had been indicted by a Grand Jury, provided, however, that the Affidavit or

complaint may be amended as now provided for amendment of such papers by Section 347, Title 18, of the Code of Alabama of 1940.

Section 14. That Section Twenty Seven of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Twenty-Seven: It shall be the duty of the Clerk of said Court to keep a record upon which shall be recorded all Affidavits made before the Judge or Clerk, or Deputy Clerk of said Court and returnable to said court and if any of said affidavits should be lost or destroyed, a certified copy of the said record shall be used the same as the original affidavit and for recording each of said affidavits, the Clerk shall receive a fee of Seventy-five cents to be taxed as Costs in case of the Defendants conviction.

Section 15. That Section Thirty-One of the said Act approved June 27, 1947, shall be and is amended so as to read as follows: Section Thirty-One: The Judge of this Court shall secure the services of a competent shorthand writer to attend the terms of this court and report in shorthand all cases tried herein and during the time he or she is actually engaged in reporting and transcribing for the court of the attorney's, he or she is an officer of this court, and he or she shall receive a salary to be fixed by the Judge of said Court and not to exceed One Hundred Seventy-five Dollars per month, and said salary shall be paid in monthly installments at the end of each month and shall be paid to him or her from the funds of the County by the County Treasurer or other custodian of said funds, on a warrant drawn thereon by the Judge of this court, provided, however, the Judge of this court shall have the right to remove said reporter from his office at his pleasure. In addition to the compensation herein provided for, said reporter shall be entitled to tax and collect from the litigant or his attorneys for whom he is making a transcript of the evidence the sum of ten cents per hundred words for said transcript, and when such transcript is made the reporter shall append thereto his certificate to the correctness of the same as such official reporter. The stenographer's notes shall be preserved and filed as now provided by law in the Circuit Court.

Section 16. That Section Thirty-Two of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Thirty Two: That in all civil cases reported by such reporter in this court there shall be taxed and collected as a part of the cost of the case a fee of Five Dollars for each day or fraction thereof, that such reporter shall be engaged in reporting a case, and when collected to be paid by the Clerk into the Treasury of Colbert County, except that in civil cases involving the sum of One Hundred Dollars or less and where said proceeding is conducted as if it were in a Justice of the Peace Court, no fee shall be taxed as costs for the services of the reporter.

Section 17. That Section Thirty Four of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Thirty Four: In all criminal matters, causes and proceedings in which Justices of the Peace would have formerly had final jurisdiction, the costs and fees taxable shall be the same as were allowed in Justice of the Peace Courts. The usual Solicitor's fees provided in cases in Circuit Courts shall be taxed as a part of the costs in all criminal cases, except in a criminal case where a Justice of the Peace would have formerly had final jurisdiction, in which no Solicitor's fee shall be charged, and the said Solicitor's fee in those cases where it is taxed as a part of the costs shall be collected in the way provided by law for taxing and collecting Solicitor's fees in the Circuit Court, and when collected shall be paid into the Treasury of Colbert County, Alabama.

Section 18. That Section Thirty Six of the said Act, approved June 27, 1947, shall be and is amended so as to read as follows: Section Thirty-Six: That a trial tax of three dollars (\$3.00) shall be imposed in each case, civil, criminal and equity, which is docketed in said Law and Equity



Court, to be taxed and collected as other costs, and when collected, to be paid by the Clerk or Register of said Law and Equity Court, into the general funds of the County as other costs, provided, however, that in civil cases at law where the amount involved is \$100.00 or less, and where said proceeding is conducted as if it were in a Justice of the Peace Court a trial tax fee of only one dollar (\$1.00) shall be imposed and collected.

Section 19. That if, for any reason, any section, provision or clause of this amended Act be held unconstitutional or invalid, then that fact shall not destroy the constitutionality or validity of the Act, except as to such clause or section.

Section 20. That all laws, both local and general, in conflict with this Amended Act be and the same are hereby repealed.

Section 21. That this Amendment to said Act approved June 27, 1947, shall take effect immediately upon passage by the legislature and approval thereof.

#### STATE OF ALABAMA COLBERT COUNTY

Before me, Jack Reed, a notary public in and for the State of Alabama at large, this day personally appeared W. F. Miller, who being by me first duly sworn, deposes and says that he is the Editor and proprietor of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama; that the above and foregoing notice was published once a week for four consecutive weeks in the Colbert County Reporter, on, to-wit, July 12, 1951, July 19, 1951, July 26, 1951, August 2, 1951.

W. F. MILLER,  
Editor and Proprietor of Colbert County Reporter.

Sworn to and subscribed before me, this 11th day of August, 1951.

JACK REED,  
Notary Public, State of Alabama at large.

Also:

By Mr. Hankins:

H. 1033. Relating to Lamar County; to fix the traveling expense allowance of the County Superintendent of Education.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA LAMAR COUNTY

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Lamar County; to fix the traveling expense allowance of the County Superintendent of Education.

Be It Enacted by the Legislature of Alabama:

Section 1. The Superintendent of Education of Lamar County shall be allowed for traveling expenses a sum set by the Co. Board of Education which shall not exceed twelve hundred dollars (\$1200) per annum. Such expenses shall be paid in the same manner as provided by the gen-

eral laws of the State for the payment of expenses of county superintendents of Education in the several counties of the State.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

7-4, 11, 18, 25 4tc

### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1951.

JACK HANKINS.

Sworn to and subscribed before me Aug. 14, 1951.

EDWARD F. MORGAN,  
Notary Public, State of Alabama, at Large.

Also:

By Messrs. McNider and Mathews:

H. 1029. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson, in Clarke County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that a local bill will be introduced in the current session of the Legislature of Alabama, and its passage sought, as follows:

#### A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson, in Clarke County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Jackson in Clarke County are altered, rearranged and extended to include within the corporate limits of the municipality the lands lying and being in Clarke County, Alabama, described as follows:

- All of Section 31;
- All of Section 32; and
- All of Section 33;
- All in Township 7 North, Range 2 East.
- All of Section 1 which lies East of the Tombigbee River;
- All of Section 12 which lies East of the Tombigbee River;

All in Township 6 North, Range 1 East.  
All of Section 4;  
All of Section 5;  
All of Section 6;  
All of Section 7 which lies East of the Tombigbee River;  
All of Section 8;  
All of Section 9;  
The N½ of Section 16;  
The N½ of Section 17;  
All of the N½ of Section 18 which lies East of the Tombigbee River;  
All in Township 6 North, Range 2 East.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA  
CLARKE COUNTY

I, Reginald Pearce, publisher of the South Alabamian, a newspaper published in Jackson, Clarke County, Alabama, do hereby certify that the attached notice was published in each of the issues of the South Alabamian dated respectively July 4, July 11, July 18 and July 25, 1951.

REGINALD D. PEARCE.

Subscribed and sworn to before me on this the 6 day of August, 1951.

W. M. COATES,  
Notary Public, Clarke County, Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1053, 1052, 1032, 1046, 1021, 1033 and 1029—To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Pflieger, Gallalee and Wilkins:

H. 1024. To authorize the governing body of Mobile County, Alabama, to reimburse the Tax Collector of Mobile County, his agents or employees, to the extent of a sum not exceeding Six Hundred Dollars (\$600.00) per annum, for necessary automobile expenses incurred by use of private automobile in collecting or attempting to collect ad valorem taxes on personal property as shown by the current annual Abstract of Assessments on file in such office; to provide how and in what manner claim for such expenses shall be filed and paid, and when this act shall go into effect.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL NOTICE

Notice is hereby given to all concerned that a Local Bill in substance as follows will be offered for introduction and passage at the present session of the Legislature of Alabama:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the governing body of Mobile County, Alabama, to reimburse the Tax Collector of Mobile County, his agents or employees, to the extent of a sum not exceeding Six Hundred Dollars (\$600.00) per annum, for necessary automobile expenses incurred by use of private automobile in collecting or attempting to collect ad valorem taxes on personal property as shown by the current annual Abstract of Assessments on file in such office; to provide how and in what manner claim for such expenses shall be filed and paid, and when this act shall go into effect.

Be It Enacted by the Legislature of Alabama:

Section 1. the governing body of Mobile County, Alabama, by whatsoever name called, is hereby authorized and empowered to reimburse the Tax Collector of Mobile County, Alabama, his agents or employees, for necessary automobile expenses incurred by them, when private automobiles are used, in collecting or attempting to collect ad valorem taxes on personal property as shown by the then current or existing Annual Abstract of Assessments on file in such office, at not to exceed Six Cents (\$0.06) per mile for each mile travelled in so doing. Such claims shall not, in the aggregate exceed Six Hundred Dollars (\$600.00) in any fiscal year of Mobile County.

Section 2. The reimbursement herein authorized to said Tax Collector, his agents or employees, for such necessary automobile expenses shall be accomplished only after filing with said governing body by such officer, his agent or employee, of claim therefor, duly itemized and verified as now required by law in support of claims against the County, and subject to the prescribed audit and review thereof by such governing body. No such claim shall be paid to such agent or employee without the approval of the tax collector endorsed thereon.

Section 3. This act shall be effective on and after the first day of the month next following its passage and approval.

Section 4. All laws in conflict herewith are hereby repealed.

Reg. July 16, 23, 30, Aug. 6

W. M. Curran, being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register July 16, 23, 30, Aug. 6th, 1951.

W. M. CURRAN.

Sworn to and subscribed before me this 7th day of Aug. 1951.

ALVIN A. JOHNSON,  
Notary Public.

Also:

By Mr. Hawkins (DeKalb):

H. 1034. To allow the Sheriff of DeKalb County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Fund of DeKalb County in monthly installments.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

Notice is hereby given that at the 1951 regular session of the Legislature of Alabama a local act will be introduced and application for its passage and enactment into law will be made. Said local act being in substance as follows:

### A BILL TO BE ENTITLED AN ACT

To allow the Sheriff of DeKalb County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Fund of DeKalb County in monthly installments.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of DeKalb County, Alabama, is hereby allowed an additional deputy to the deputy or deputies now provided by law, which said deputy shall receive a salary of not less than Twelve Hundred Dollars per annum, nor more than Eighteen Hundred dollars per annum, to be fixed by the Board of Revenue of said county, and payable in twelve equal monthly installments out of the general fund of said county; that said deputy shall be appointed by the Sheriff of DeKalb County, Alabama, and shall be eligible to perform the duties of deputy Sheriff anywhere in said county.

Section 2. That on the first day of each month a statement of the name and amount due said deputy sheriff shall be furnished to the Board of Revenue or other governing body of said county, by the Sheriff and it shall thereupon be the duty of said Board to order a warrant drawn upon the General Funds of said County payable to said deputy for the amount of one month's salary as hereinabove provided.

Section 3. If any part or parts of this act shall be declared unconstitutional it shall not effect the remaining part or parts of this Act!

Section 4. This act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

(5-30-4t)

### STATE OF ALABAMA DEKALB COUNTY

Before me, the undersigned Notary Public in and for said State and County aforesaid, personally appeared E. O. Davidson, who being duly sworn, says on oath, that he is Editor-Publisher of the Fort Payne Journal, a newspaper published in the City of Fort Payne, DeKalb County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were May 30, 1951, June 6, 1951, June 13, 1951, and June 20, 1951, and that the amount charged for said publication was \$15.12, and is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the County in which it is published, and that it has been mailed under second class mailing privileges for fifty-two consecutive weeks prior to the publication of the foregoing advertisement.

E. O. DAVIDSON,  
Editor-Publisher.

Sworn and subscribed to before me this 6th day of August, 1951.

W. M. BECK,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1024 and 1034—To the Committee on Local Legislation.

### ORDER TO PRINT

On motion of Mr. Thagard, 100 copies of the opinion rendered by the Supreme Court, relative to Senate Bill 436, were ordered printed for the use of the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 468. Relating to Franklin County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 512. Relating to cities having a population of not less than twenty-nine thousand nor more than forty-five thousand inhabitants according to the preliminary count as of April 1, 1950 of the 1950 Federal Census or any subsequent federal census; providing for the allocation of the duties of the chairman and members of the city commission of such cities, and providing for their compensation.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amend H. B. 512 by adding the following new Section:

"Section 3(a). Any vacancy occurring in the office of the Chairman or Associate Members of the City Commission shall be filled by appointment of the Governor."

Mr. McCary offered the following substitute for the Bill and pending amendment, to-wit:

SUBSTITUTE FOR H. B. 512 AND PENDING AMENDMENT

A BILL  
TO BE ENTITLED  
AN ACT

Relating to cities having a population of not less than twenty-nine thousand nor more than forty-five thousand inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the population of the United States; providing for the allocation of the duties of the chairman and members of the city commission of such cities, and providing for their compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall be applicable only to cities having a population of not less than twenty-nine thousand nor more than forty-five thousand inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the population of the United States.

Section 2. The chairman of the city commission of any city to which this Act applies shall devote his full time to the duties of his office, and each associate member of the commission shall devote such time daily as may be necessary to perform the duties of his office. The chairman of the commission shall have direct supervision over the departments of streets, parks, public utilities, public health, and public buildings. He shall preside at all meetings of the commission and shall have general supervision of all matters pertaining to the government of the city. Associate commissioner number one shall have direct supervision over the departments of finance, taxation, accounts and accounting, budget and appropriations. Associate commissioner number two shall have direct supervision of the departments of public safety, fire, police, and public affairs. The powers and duties of each of said departments shall be fixed by the commission and may be altered from time to time as the commission may deem best, provided, that the administration of each department shall be under the general supervision and control of the commission as a whole.

Section 3. The compensation of the chairman of the commission shall be fixed by the commission at not less than four thousand two hundred dollars nor more than eight thousand four hundred dollars per annum. The compensation of each associate member of the commission shall be fixed by the commission at not less than two thousand one hundred dollars nor more than four thousand eight hundred dollars per annum. The amount of the salary of each associate commissioner shall be commensurate with the time he is required to devote to performing the duties of his office. The commission may require the chairman or a member of the commission to perform services for the water works board or any other agency or instrumentality of the city during the term for which he was elected, in which event, the chairman or member, as the case may be, shall be entitled to additional compensation for the performance of additional duties, such increase in compensation to be commensurate with the increased duties, as the commission may prescribe.

Section 4. Any vacancy occurring on the commission shall be filled by appointment by the governor for the unexpired term.

Section 5. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its pas-

sage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Benson	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays:

—0

The Bill:

S. 480. To authorize any county which has entered into a contract with the State Highway Department, pursuant to the provisions of the Farm to Market Road Act of 1943, as heretofore or hereafter amended, to anticipate by the sale and issuance of its interest bearing warrants the receipt of any moneys to be paid to such county under such contract; to provide that such warrants shall be payable solely from the moneys received by the county pursuant to such contract and, if the county so elects, also out of all or any part of such county's share of the state gasoline tax allocated to such county under Section 655 and Section 657, as amended, of Title 51 of the Code of Alabama of 1940; to provide that any two or more such contracts between a county and the State Highway Department may be treated as a unit for the purpose of the issuance of such warrants; to authorize the pledge, transfer and assignment for the benefit of such warrants of the moneys out of which they are payable; to provide that such warrants shall be issued only with the consent of the Director of the State Highway Department and that such consent shall be conclusive evidence of the validity of the contract or contracts with respect to which the consent is given and of compliance by the county with all conditions precedent to the payment of the state's contribution under such contract, except completion of any road construction at the time uncompleted; and to provide the purposes for which the proceeds from such warrants may be used.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 28; Nays 0.

Yeas:

Messrs.:	Clayton	Faulkner	Jones
Benson	Eddins	High	Larkins
Boutwell	Fant	Hollis	Locke (Choctaw)
Byars	Farmer	Johnson (Chambers)	Locke (Perry)



McCary	Reneau	Smith	Todd	
Phillips	Richardson	Sollie	Whately	
Pinson	Skidmore	Thagard	Wright	
Quarles				—28
Nays:				—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 594. To further amend Section 1 of an Act approved May 20, 1935 entitled, "An Act to allow the Sheriff of Elmore County, Alabama, an additional deputy sheriff to that now provided by law, to fix the salary of said deputy and make the same payable out of the General Funds of Elmore County in monthly installments, said deputy sheriff to be appointed by the Sheriff of Elmore County and to be located at Tallassee, Alabama, and shall be eligible to perform duties of his office anywhere in said County, and to require bond of said deputy sheriff and fix the amount thereof", as amended by Local Acts of 1939, page 177, approved August 25, 1939, and as further amended by Local Acts of 1949, page 62, approved June 2, 1949.

Also:

S. 165. For the relief of Cyril L. Smith: making an appropriation of One Hundred Eighty-Four (\$184.00) Dollars to Cyril L. Smith as compensation for medical expenses incurred while in the service of the Alabama Alcoholic Beverage Control Board.

Also:

S. 420. To authorize Alabama Institute for Deaf and Blind, a body corporate, to borrow money for the purpose of paying salaries of employees, and for the purpose of paying expenses of operating said Alabama Institute for Deaf and Blind, and for the purpose of paying obligations already incurred in the operation of said Alabama Institute for Deaf and Blind.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 385. To amend Section 785, Title 51, Code of Alabama (1940), which relates to the discount allowed for collection of sales taxes.

Also:

H. 545. To amend Act No. 255, H. 313, approved June 24, 1943 (General Acts of Alabama, 1943, pp. 226-228), entitled "An Act to provide for the disposition and use of the profits, including all tax levied upon the selling prices of all spirituous or vinuous liquors, less all cost and expense of collecting said tax, of the Alabama Liquor Stores operated under the Alcoholic Beverage Control Board of Alabama."

Also:

H. 642. To make an additional appropriation to the State Board of

Education in the sum of three thousand (\$3,000.00) dollars to be expended for regional education and to be paid out of any funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund.

Also:

H. 724. To amend Section 776, Title 51, Article 10, Chapter 20, Code of Alabama 1940, as amended by Act No. 56, General Acts of Alabama 1947, page 24, approved July 7, 1947.

Also:

H. 809. To abolish the fund in the State Treasury known as the Governor's Contingent Fund and to repeal Section 179, Title 55, Code of Alabama 1940, which relates to the Governor's Contingent Fund.

Also:

H. 812. To create a fund in the State Treasury to be known as the Mansion Fund; to define the purposes for which said fund may be used and the manner of making withdrawals therefrom; to provide for the appropriation thereto; to repeal all laws in conflict herewith; and to provide the effective date of this Act.

Also:

H. 984. To amend Sections 35 and 36 of an act entitled "An Act To provide for and regulate the assessment, levy and collection of Municipal taxes of the city of Opelika, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said city of Opelika, and to make the Tax Collector of Lee County, Alabama, ex-officio collector of property taxes for the said city of Opelika.", approved September 2, 1935.

Also:

H. 985. To amend Section 36 of an act entitled "An Act To provide for and regulate the assessment, levy and collection of Municipal taxes of the City of Auburn, in Lee County, Alabama, and to define the duties of State, County and Municipal offices and officers in regard thereto, and to fix the tax year for the said City of Auburn, and to make the Tax Collector of Lee County, Alabama ex-officio collector of property taxes for said City of Auburn.", approved July 17, 1935.

Also:

H. 992. To alter, rearrange and extend the boundaries of the City of Sylacauga in Talladega County.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Roberts and Russell:

H. 1042. To authorize the governing body of Morgan County, Ala-

bama to impose an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that at the present session of the Legislature of Alabama a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize the governing body of Morgan County, Alabama to impose an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

Be It Enacted by the Legislature of Alabama:

Section 1: The term "gasoline" as used in this Act shall include gasoline, naptha and other liquid motor fuels or any devices or substitutes therefor commonly used in internal combustion engines provided, however, that nothing in this Act shall be held to apply to those products known commercially as "kerosene oil", "fuel oil", or "crude oil" commonly used for lighting, heating, or industrial purposes. The term "person" means and includes every person, corporation, copartnership, company, agency or association, singular or plural. The term "distributor" means and includes every person who shall engage in the selling of gasoline as herein defined in Morgan County, by wholesale, in domestic trade, but shall not apply to any transaction by such distributor in interstate commerce. The term "retail dealer" shall include any person who is engaged in the sale of gasoline as herein defined at any place in Morgan County in broken quantities. The term "storer" as used herein shall include any person who ships gasoline into Morgan County in any quantities and stores the same and withdraws or uses same for any purpose.

Section 2: The governing body of Morgan County, Alabama, when authorized and empowered by a vote of the qualified electors of the County as herein provided, may impose an excise tax of not exceeding one cent per gallon on persons, corporations, copartnerships, companies,

agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in Morgan County, Alabama, and may require every distributor, retail dealer, and storer of gasoline as herein defined to pay an excise tax in such amount as the said governing body shall impose, not exceeding one cent per gallon upon the selling, distributing or withdrawing from storage for any use gasoline as herein defined in Morgan County, Alabama; provided that the excise tax authorized to be levied by this Act shall not be levied upon the sale of gasoline in interstate commerce, and provided further that if the excise tax imposed by the said governing body upon the sale of such gasoline shall have been paid by a distributor or by a retail dealer or storer, such payment shall be sufficient, the intention being that the tax shall be paid but once. The excise tax imposed by the said governing body under this Act shall apply to persons, firms, corporations, dealers or distributors storing gasoline and distributing the same or allowing the same to be withdrawn from storage, whether such withdrawal be for sale or other use, provided that sellers of gasoline and its substitutes paying the tax herein provided may pay the same computed and paid on the basis of their sales as hereinafter required, and storers and distributors shall compute and pay such tax on the basis of their withdrawals or distributions. The tax herein authorized to be imposed shall be in addition to any and all excise or other taxes imposed on gasoline, naphtha and other liquid motor fuels or any device or substitute therefor, or on the business of selling, distributing, storing or withdrawing from storage for any purpose gasoline as herein defined, by the State of Alabama or any other agency or subdivision of the State of Alabama, or the United States.

Section 3: On or before the 20th day of each month after a tax is imposed by authority of this act, every person upon whom the excise tax is levied shall render to the governing body of such county on form prescribed by such governing body a true and correct statement of all sales and withdrawals of gasoline made by him or them during the next preceding month, liable for payment of the excise tax imposed by said governing body under authority of this Act, and shall furnish to said governing body such additional information as such governing body may require upon blanks to be formulated and furnished by said governing body, and at the time of making such report shall pay to the said governing body an amount of money equal to the excise tax levied under authority of this Act. The statement herein required to be made by the distributor, storer or retail dealer shall be sworn to before some officer authorized to administer oaths, and any false statement sworn to shall constitute perjury, and upon conviction thereupon the person so convicted shall be punished as provided by the law for the crime of perjury.

Section 4. All distributors, storers and retail dealers shall keep for not less than two years within the State of Alabama at some certain place or office such books, documents or papers as will clearly show the amount of sale or withdrawals of gasoline made in Morgan County taxed under this Act.

Section 5: Within thirty days after any tax shall have been levied under authority of this Act every distributor, storer or retail dealer engaged in the sale or withdrawal of gasoline in Morgan County shall make a report on blanks furnished under Section Two hereof to the governing body of said County, showing the place and post-office address at which he is engaged in the business of distributor or storer or retail dealer in gasoline within said County, which information shall be entered by the governing body of said County on a book kept for that purpose, and should such distributor, storer or retail dealer move his place of business from one business address to another, such distributor, storer or retail dealer shall within thirty days thereafter notify the said governing body

of such removal, giving the former place and post-office address and also the place and post-office address to which his place of business has been removed. After the tax imposed under this Act has become effective, no person shall become a distributor, storer or seller of gasoline in said County until he shall have made such reports to the said governing body.

Section 6: If any distributor, storer or retail dealer of gasoline in said County shall fail to make the reports or any of them as required in any provision of this Act, or shall fail to comply with any regulation adopted for the collection of said tax by the governing body of said County, within the time required for making such reports, or shall fail to pay the tax imposed within the time fixed for the payment thereof, such distributor, storer, or retail dealer shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$50.00 nor more than \$300.00 for each offense.

Section 7: It shall be the duty of the governing body of said County to enforce the provision of this Act upon its imposing the tax hereunder, and it shall have the right itself, or its members or its agents, to examine the books, reports and accounts of every distributor, storer or retail dealer of gasoline on which such tax has been imposed, and to make any and all rules and regulations necessary and proper for the collection of such tax.

Section 8: If any distributor, storer or retail dealer in gasoline shall fail to make monthly reports or shall fail to pay the tax imposed under authority of this Act the tax shall be deemed delinquent within the meaning of this Act and there shall be added to the amount of his tax a penalty of twenty-five percent of the tax due, provided, if in the opinion of the governing body of the said County a good and sufficient cause or reason is shown for such delinquency, the penalty may be remitted or waived. The said governing body shall be authorized and empowered to make returns for delinquent tax payers upon such information as it may reasonably obtain and add to that the penalty as prescribed by this Act. If any person shall be delinquent in the payment of any tax imposed under the authority of this Act, the governing body of said County shall issue execution for the collection of the same, directed to any Sheriff of the State of Alabama, who shall proceed to collect the same in the manner now provided by law for the collection of delinquent taxes by the County Tax Collector and make return of such execution to the governing body issuing the same. The tax herein authorized to be levied and the penalties herein provided for, shall be held as a debt payable to the County of Morgan by the person against whom the same shall have been imposed or against whom the penalties shall have accrued, and all such taxes and penalties shall be a lien upon the property in said County and elsewhere in this State of the person against whom said tax shall have been imposed and the penalties shall have accrued, after the filing by the Chairman of said governing body of a statement of said lien in the office of the judge of probate of the county where such property is situated.

Section 9: The acceptance of any amount paid for the excise tax imposed under this Act shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due.

Section 10: Any distributor, storer or dealer against whom shall be imposed any tax authorized by this Act who shall violate any provisions of this Act, or shall fail to comply with any reasonable rule or regulation promulgated hereunder, may be restrained, and proper prosecution instituted in the name of said County by such counsel as the governing body of said County shall direct, from distributing, selling, storing or withdrawing from storage any gasoline the sale or withdrawal of which is taxable until such person shall have complied with the provisions of this Act.

Section 11: Each agent of any railroad company, bus or truck operator or other transportation company or agency operating in Morgan County shall report to the governing body of said County on the first day of October, January, April and July of each year all shipments of gasoline as defined in this Act or substitute therefor handled by him or through the station or office at which he is the agent, and delivered to any person in Morgan County, Alabama, during the preceding three months, giving the names and address of the consignor or consignee shipping and receiving said gasoline or substitute therefor and the number of gallons or pounds contained in each and every shipment.

Section 12: Except as herein otherwise provided, the proceeds of any tax imposed under authority of this Act shall be used, first to pay the cost of collection and thereafter used exclusively for the construction, reconstruction, and surfacing of public roads and bridges in Morgan County.

Section 13: Upon the request of the governing body of such County, the State Department of Revenue of Alabama, with the approval of the Governor, upon such terms as may be agreed upon, may collect the tax imposed under this Act for and on behalf of Morgan County from any or all of the persons liable for the tax levied hereunder; and in that event it is given all the powers, jurisdiction, authority and privileges granted to the governing body of Morgan County hereunder, and all reports, payments and information required to be made, paid or given to the governing body of such County shall be made, paid or given to the State Department of Revenue under the penalties and subject to the prosecution prescribed herein. This section being for the benefit of the County, the State Department of Revenue and the State of Alabama, shall be chargeable only with the tax actually collected by it. The State Department of Revenue, upon collection of such tax, shall within five days remit the same to the governing body of Morgan County.

Section 14: The governing body of said county may borrow against any tax imposed under this Act and may pledge the taxes when collected to secure any loan made in anticipation of the same, or may pledge the same in payment of any obligation incurred for the purposes for which the tax is authorized to be levied, provided, however, that it shall not borrow more than the income from such tax for two years estimated on the returns from the said tax for the three calendar months immediately preceding; nor shall it pledge the same for any obligation in excess of the receipts for two years estimated upon the receipts for the preceding three months; nor shall the receipts for such tax be pledged in an amount more than the estimated amount to accrue prior to the next general election at which members of the legislature are elected.

Section 15: Before any tax is levied under authority of this Act, the governing body of said County shall first submit the question as to whether or not such tax shall be levied to the qualified electors of said County at an election, which said election shall be called in the following manner; The governing body of such County shall pass a resolution reciting that in the opinion of the said governing body it is to the interest of said County that such tax be levied for the purposes authorized in this Act and calling upon the Probate Judge, the Sheriff and the Circuit Clerk of said County to call an election for the purpose of submitting to the qualified electors the question as to whether or not the tax authorized hereunder shall be levied. Upon such certificate the Probate Judge, the Sheriff and Clerk of said County shall by proclamation call an election to be held within sixty days, which proclamation shall be in substance as follows: "To the Electors of Morgan County, Alabama: The governing body of said County having passed a resolution reciting that in its opinion it is to the interest of the County that an excise tax of not more than one cent be imposed on persons, corporations, copartnerships, companies,

agencies or associations engaged in the business of selling, distributing, storing, or withdrawing from storage for any purpose whatever gasoline or other liquid motor fuels or devices or substitutes therefor in Morgan County, Alabama, and which said resolution requests the undersigned officials to call an election to submit to the qualified electors the aforesaid propositions; Now, therefore, an election is hereby called to be held at the several polling places in Morgan County, Alabama on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at which said election the question as to whether or not the said tax shall be levied in this county shall be voted upon by the qualified voters of said county.

WITNESS our hands this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
 \_\_\_\_\_ Probate Judge  
 \_\_\_\_\_ Sheriff  
 \_\_\_\_\_ Clerk

Notice of the said election shall be given by publication of the aforesaid proclamation once a week for four consecutive weeks in any newspaper published in said County. The said election shall be held, conducted and canvass of the returns thereof made and certified in the same manner as elections for County officers. Except as herein otherwise provided, the general statute relating to the election for County officers shall govern in election held hereunder. The Probate Judge shall cause ballots to be printed and distributed at such election, which said ballot shall be in substance as follows:

#### “OFFICIAL BALLOT

Shall a tax of not more than one cent per gallon be levied on gasoline or other liquid motor fuels in Morgan County, to be used exclusively for the construction and maintenance of public roads in Morgan County?

( ) Yes

( ) No”.

The elector desiring to vote shall indicate by making a cross mark on the line or bracket opposite the words “Yes” or “No”, whichever shall indicate his choice. The Probate Judge, Sheriff and Circuit Clerk of said County shall certify the results of said election to the governing body of said County, and if a majority voting at said election shall have voted for such tax, the said governing body may levy said tax and may from time to time reduce or increase the same but not in excess of one cent per gallon.

Section 16: Should any section, paragraph, or portion of this Act be declared unconstitutional, it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section 17: This Act shall go into effect immediately upon its passage and approval.

NOBLE J. RUSSELL  
 LUTHER ROBERTS  
 Representatives, Morgan  
 County, Alabama

8-2c

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached

notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1951.

JACK W. HOFFHAUS.

Sworn to and subscribed before me August 11, 1951.

ITALYNE HARDWICK,  
Notary Public.

Also:

By Mr. Plott:

H. 1026. To authorize the Sheriff of Chilton County, Alabama to appoint one special deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and to be paid out of the general funds of said County, and to require said deputy to give bond in the sum of \$2,000.00 payable to said sheriff with conditions as required by Section 35, Title 41, 1940 Code of Alabama, and to repeal Local Act No. 324, approved September 2, 1935 and appearing in Local Acts 1935 on page 198.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR AND SEEK THE PASSAGE  
OF A LOCAL LAW APPLICABLE APPLICABLE TO CHILTON  
COUNTY

STATE OF ALABAMA  
CHILTON COUNTY

Notice is hereby given that at the present session of the 1951 session of the Legislature of Alabama the following bill will be introduced and its enactment and passage sought, viz:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the Sheriff of Chilton County, Alabama, to appoint three special or general deputies, fix their tenure of office, prescribe their duties, fix their compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and to be paid out of the general funds of said County, and to require each of said deputies to give bond in the sum of \$2,000.00 payable to said sheriff with conditions as required by Section 35, Title 41, 1940 Code of Alabama, and to repeal Local Act No. 324, approved September 2, 1935, and appearing in Local Acts 1935 on page 198.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Sheriff of Chilton County, Alabama, is hereby authorized and empowered to appoint three special and general deputies, who shall hold office at the pleasure of the Sheriff and who shall perform such services as said Sheriff may require of them, either as field deputy or other such services as said sheriff may direct in the line and scope of duty pertaining to the sheriff's office.

Section 2. That each of said deputies, to be designated by the sheriff at the time of appointing them, shall receive as compensation not less than \$200.00 per month and not more than \$250.00 per month, payable monthly.

Section 3. That the Court of County Commissioners of Chilton County, Alabama, is hereby authorized and required to draw warrants



in favor of each of such deputies on the treasurer of said County each month for the preceding month's work on the certificate of the said sheriff that said work has been performed for such amount, as is provided in Section 2 of this Act, said warrants to be paid out of the general funds of said County.

Section 4. That said sheriff may require each of such deputies to make bond payable to him in the sum of \$2,000.00, conditioned as required by Section 35, Title 41, 1940 Code of Alabama.

Section 5. That this Act shall take effect upon its approval by the Governor, or upon its otherwise becoming a law.

Section 6. That the Act of the Legislature, No. 324, approved September 2, 1935, Local Acts 1935, page 198, be and the same is repealed upon the passage and approval of this Act and that all other laws and parts of law in conflict with this Act be and the same are hereby repealed.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the Chilton County News, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of

10 day of May, 1951

17 day of May, 1951

24 day of May, 1951

31 day of May, 1951

R. M. TUCKER,  
Publisher.

Subscribed and sworn to before me this 6 day of Aug., 1951.

J. C. BENNETT,  
Notary Public.

Also:

By Mr. Plott:

H. 1025. To authorize and empower the circuit clerk of Chilton County, Alabama, to appoint a deputy clerk, and to fix the salary and to provide the method of payment of salary.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

To authorize and empower the circuit clerk of Chilton County, Alabama to appoint a deputy clerk, and to fix the salary and to provide the method of payment of salary.

Be It Enacted by the Legislature of Alabama:

Section 1. The Circuit Clerk of Chilton County, Alabama, is hereby authorized and empowered to appoint a deputy Clerk, to hold office at the pleasure of the Circuit Clerk of Chilton County, Alabama.

Section 2. That said Deputy Clerk so appointed, shall be paid a salary not less than Fifty Dollars per month and not more than One Hundred Dollars per month, payable monthly. Said salary to be fixed by the Commissioners Court of Chilton County, Alabama.

Section 3. That the Commissioners Court of Chilton County, Alabama, is hereby authorized and required to draw warrants in favor of said Deputy Clerk, payable out of the General Fund of said County, upon proper claim being made.

Section 4. Should any section, clause or provision of this act be declared unconstitutional, the same shall not affect the remaining sections, clauses or provisions of this act.

Section 5. That this act shall take effect immediately upon its passage and approval by the governor or otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the Chilton County News, a Newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of 14th day of June, 1951, 21st day of June, 1951, 28th day of June, 1951, 5th day of July, 1951.

R. M. TUCKER,  
Publisher.

Subscribed and sworn to before me this 23rd day of July, 1951.

J. C. BENNETT,  
Notary Public.

Also:

By Mr. Denton:

H. 1048. Relating to counties having populations of not less than 28,900 nor more than 29,200 inhabitants; authorizing and directing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

Also:

By Mr. Reynolds (Chambers):

H. 1045. To amend Section 2 of Act No. 29, H. 159, approved June 27, 1947 (Local Acts of Alabama, 1947, page 23), which provides for an additional deputy sheriff in Chambers County.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 29, H. 159, approved June 27, 1947 (Local Acts of Alabama, 1947, page 23), which provides for an additional deputy sheriff in Chambers County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 29, H. 159, approved June 27, 1947 (Local Acts of Alabama, 1947, page 23) is amended to read as follows:

"That said deputy shall receive as compensation not less than one thousand eight hundred (1,800) nor more than three thousand (3,000) dollars per annum, the exact amount to be fixed by the court of county commissioners of said County."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA  
CHAMBERS COUNTY

Before me, Pearl H. Hand, a Notary Public in and for said County and State, personally appeared Bonnie Hand, who, being by me legally sworn, deposes and says:

I am the publisher of The LaFayette Sun, a newspaper published weekly, in LaFayette, Chambers County, Alabama; the foregoing notice to Amend Section 2 of Act No. 29, H. 159 was published in said newspaper once a week for 4 consecutive weeks, beginning with the issue of July 18, 1951, and appearing in the issues of said newspaper of dates July 18 and 25 August 1 and 8.

BONNIE HAND,  
Publisher.

Sworn to and subscribed before me this 13th day of August 1951.

PEARL H. HAND,  
Notary Public.

Also:

By Mr. Bush:

H. 1020. Relating to the Court of Common Pleas of Elmore County: To provide that the Judge of the Court of Common Pleas of Elmore County, Alabama, shall have power and authority to issue, hear and determine writs of habeas corpus, that the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be, provided by law, shall prevail in the Court of Common Pleas of Elmore County, that the Judge of the Court of Common Pleas of said County shall have the same power and authority relating to such writs as is now or hereafter may be conferred upon the Judges of the Circuit Court of Alabama, and that such power and authority shall extend to all cases where the Judges of the Circuit Courts of Alabama have authority to grant such writs.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA  
ELMORE COUNTY

NOTICE is hereby given that at the regular session of the Legislature of Alabama for 1951 a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Court of Common Pleas of Elmore County: To provide that the Judge of the Court of Common Pleas of Elmore County, Alabama, shall have power and authority to issue, hear and determine writs of habeas corpus, that the procedure, practice and rules of the circuit Courts of Alabama relating to such writs as are now, or which here-

after may be, provided by law, shall prevail in the Court of Common Pleas of Elmore County, that the Judge of the Court of Common Pleas of said County shall have the same power and authority relating to such writs as is now or hereafter may be conferred upon the Judges of the Circuit Court of Alabama, and that such power and authority shall extend to all cases where the Judges of the Circuit Courts of Alabama have authority to grant such writs.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of the Court of Common Pleas of Elmore County, Alabama, shall have power and authority to issue, hear and determine writs of habeas corpus, and the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be, provided by law, shall prevail in the Court of Common Pleas of Elmore County. The Judge of the Court of Common Pleas of Elmore County shall have the same power and authority relating to such writs as is now, or may hereafter be, conferred upon the Judges of the Circuit Courts of Alabama, and such power and authority shall extend to all cases where the Judges of the Circuit Courts of Alabama have authority to issue such writs.

Section 2. This Act shall become effective immediately upon its passage and approval, or its otherwise becoming a law.

7-19-4tc

#### THE STATE OF ALABAMA ELMORE COUNTY

Before me the undersigned authority personally appeared Herve Charest, Jr., who by me first being duly sworn deposes and says that he is the publisher of The Tallassee Tribune, a weekly newspaper published at Tallassee, in Elmore County, Alabama, and that the attached notice was published in said newspaper for four (4) successive weeks to-wit: 7-19-51; 7-26-51; 8-2-51; 8-9-51.

HERVE CHAREST, JR.,  
Publisher, The Tallassee Tribune.

Sworn to and subscribed before me this the 13th day of August, 1951.

C. T. RENEAU,  
Notary Public.

Also:

By Mr. Thomason:

H. 1027. To authorize the City of Anniston to sell, or to lease for a period not exceeding ninety-nine (99) years, a tract of land located at the southeast corner of Tenth Street and Leighton Avenue in said City and to provide how the sale or lease is to be made.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that a bill substantially as follows, will be introduced in the 1951 regular session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize the City of Anniston to sell, or to lease for a period not exceeding ninety-nine (99) years, a tract of land located at the southeast corner of Tenth Street and Leighton Avenue in said City and to provide how the sale or lease is to be made.

Be It Enacted by the Legislature of Alabama:

Section 1. The City of Anniston, Alabama, is hereby authorized and empowered, at the discretion of the Board of Commissioners of said City, to sell, or to lease for a period not exceeding ninety-nine (99) years, the following described real property situated in said City, to-wit: Beginning at a point at the Southeast Corner of the intersection of Tenth Street and Leighton Avenue; thence East along the South property line of Tenth Street a distance of 200 feet to a point thence 90 degrees to the right a distance of 150 feet to a point; thence 90 degrees to the right a distance of 200 feet to the East property line of Leighton Avenue; thence North along the East property line to Leighton Avenue a distance of 150 feet to the point of beginning.

Section 2. In the event the said Board of Commissioner of said City determines to sell said property, said property shall be sold to the highest bidder at public sale, either on sealed bids or at auction, after notice of the public sale has been published once a week for three consecutive weeks in a newspaper published in said City. The notice of the public sale shall state whether the sale is to be on sealed bids or at auction, and shall also describe the property as it is described in this Act, and shall also state the time and place of auction or submitted for sealed bids. The said Board of Commissioners shall have the right to reject all bids.

Section 3. In the event the said Board of Commissioners of said City determines to lease said property, said property shall be leased to the highest responsible bidder at public lease, either on sealed bids or at auction, after notice of the public lease has been published once a week for three consecutive weeks in a newspaper published in said City. Said notice shall state whether the lease is to be on sealed bids or at auction, and shall also describe the property as it is described in this Act, and shall also state the time and place of auction or for submitting sealed bids. Said notice shall also state the length of time for which said property is offered for lease. The said Board of Commissioners shall have the right to reject all bids. The rent for said property is to be paid in equal monthly installments on the first day of each month during the term of the lease.

Section 4. The deed or lease is to be executed in the name of the City of Anniston by the Chairman of the Board of Commissioners of said City.

Section 5. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

Section 6. This Act shall take effect upon its passage and approval by the Governor or upon its otherwise becoming law.  
June 25; July 2, 9, 16.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, 9 and 16, all in the year 1951.

RALPH W. CALLAHAN.

Sworn to and subscribed before me August 13, 1951.

CLARA B. WRIGHT,  
Notary Public.

Also:

By Mr. Coburn:

H. 1023. To authorize the Colbert County Hospital Board to convey to Colbert County any portion of the real estate or interest therein owned by said hospital board which its board of directors may determine is not used for the purposes for which said board was organized.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### STATE OF ALABAMA COUNTY OF COLBERT

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize the Colbert County Hospital Board to convey to Colbert County any portion of the real estate or interest therein owned by said hospital board which its board of directors may determine is not used for the purposes for which said board was organized.

Be It Enacted by the Legislature of Alabama:

That Colbert County Hospital Board, a public corporation organized under the provisions of Act No. 46 adopted at the 1949 Regular Session of the Legislature of Alabama, is here authorized to convey to Colbert County any portion of the real estate or interest therein which may be owned by the said hospital board which its board of directors shall by resolution determine is not used for the purposes for which said board was organized.

7-19-4tc.

#### STATE OF ALABAMA COLBERT COUNTY

I, W. F. Miller, publisher of Colbert County Reporter, a newspaper of general circulation in Colbert County, Tuscumbia, Alabama, hereby certify that the attached notice appeared in said Colbert County Reporter for four consecutive weeks in the issues of July 19, 26, August 2 and 9, 1951.

W. F. MILLER.

Sworn to and subscribed before me this 13th day of August, 1951.

OSCAR U. FOWLER,  
Notary Public.

Also:

By Mr. McCoy:

H. 1019. To create and establish in Escambia County, Alabama, in lieu of the county court and the juvenile court, a court of record with county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and

authority; regulating its procedure; and fixing the costs and charges collectible therein.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

#### STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE IS hereby given that at the regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To create and establish in Escambia County, Alabama, in lieu of the county court and the juvenile court, a court of record with county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein.

Be It Enacted by the Legislature of Alabama:

Section 1. Inferior court created. There is hereby established in Escambia County a court with county-wide jurisdiction of criminal cases and civil actions, as hereinafter provided, which court shall make final records in all cases except cases cognizable before justices of the peace. The court shall be known as "The Inferior Court of Escambia County, Alabama." It shall be in lieu of the county court and the juvenile court, both of which are hereby abolished.

Section 2. Jurisdiction. (a) Except as provided in Subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases (including bastardy proceedings, and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved), cognizable before the circuit court, or a county court, or the juvenile court, or justice of the peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have the authority to punish contempts by fine not exceeding fifty dollars (\$50.00) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure, and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and lawmade rules governing the practice and procedure of courts of record. (b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of actions of ejectment or of any civil action when the matter or sum in controversy exceeds \$500.00, nor take cognizance of any matter or proceeding in equity, except suits involving the custody of children. (c) The judge of the court shall have and exercise preliminary jurisdiction in felony cases, and the clerk and the clerk's deputy shall have power to take complaints and issue warrants in preliminary proceedings commenced in said court.

Section 3. Judge. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1952, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified. (b) Immediately after the passage of this Act, the Governor shall appoint and commission a judge of the court herein established, who shall hold of-

fice until his successor is elected or appointed as provided herein. (c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Escambia County, Alabama, learned in the law, and has been licensed to practice law in this State. The judge and his partner shall not practice law in the court herein established, nor participate in any case appealed from such court, but they shall be free to practice in all other courts and engage in the general practice of law. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution. (d) The judge shall receive an annual salary of \$3600.00 payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid. (e) The judge shall have authority to: 1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; 2) grant writs of injunctions and ne exeat; 3) administer oaths and take acknowledgements; 4) issue search warrants; 5) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits involving the custody of children. (f) The judge shall be provided, at the expense of the county, with such office supplies, stationery, stamps, and other materials as may be necessary for the transaction of the business of the court. (g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code of Alabama.

Section 4. Sessions. (a) Sessions of the court shall be held at the county courthouse and at other places herein designated, and the court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Monday in each month at the courthouse in Brewton, Alabama for the trial of criminal cases, and on the first Tuesday in each month at the courthouse in Brewton, Alabama for the trial of civil actions at law. Regular session shall be held in the City of Atmore, Alabama on the third Monday in each month for the trial of criminal cases and also for the trial of civil actions at law. Special sessions may be held either at the county courthouse in the city of Brewton, Alabama, or in the city of Atmore, Alabama, at such times as the judge shall designate in orders spread upon the minutes. Sessions may continue so long as may be necessary for the court to complete its business. (b) The Sheriff shall attend the sessions of the court in person or by deputy and shall receive the same compensation therefor which he is now allowed for attending sessions of the County Court and of the Circuit Court. He shall execute all writs and processes of the court and perform such other duties as he may be required to perform in the circuit court.

Section 5. Practice and Procedure. (a) The court shall have three divisions, namely law, criminal, and juvenile. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts. (b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty days.



Section 6. Juries. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 7. Costs. It shall be the duty of the clerk of the Inferior Court to tax and collect 1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00), the same costs and fees for services of the Clerk and Sheriff and witnesses in civil cases in said Court as are now or may hereafter be allowed by law to be assessed, charged and collected for same in the Justice of Peace Courts; 2) in every other civil action at law, the same as in circuit courts; 3) and in all criminal cases the same costs, fines, and fees for the services of the solicitor, clerk, sheriff and witnesses, in said Court shall be assessed and collected as are now or may hereafter be, provided by law to be assessed and collected for such offenses in the County Court of Escambia County, Alabama. 4) A trial tax of one dollar (\$1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00). In every other civil action at law, and in every criminal case, a trial tax of three dollars (\$3.00) shall be collected for the use of the county. 5) No costs shall be taxed in juvenile cases. 6) The fees of the Clerk of the Inferior Court and sheriff of said County in cases in which the State fails to collect, or where a nolle prosequi is ordered, or where the cases are abated by death of the defendant, or where an indictment is withdrawn and filed, or where an execution is returned "No property found," shall be paid out of the General fund of said County.

Section 8. Criminal prosecutions. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the clerk or the clerk's deputy, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused. (b) The county solicitor, or deputy solicitor, shall prosecute for the State all criminal cases commenced in such court. In addition to the salary now received by the county solicitor or deputy solicitor, he shall receive in addition thereto the sum of twenty-five dollars (\$25.00) for each session of said court which he is required to attend in the City of Atmore, Alabama. In the event the county solicitor or deputy solicitor is absent or disqualified, the judge shall appoint a special prosecutor, who shall be paid twenty-five dollars (\$25.00) for each day he is called upon to serve.

Section 9. Appeals. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided. 1) If the case is a civil case, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Article 1 of Chapter 3, Title 13 of the 1940 Code. 2) If the case arises under the Courts jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the Code of 1940. 3) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code.

Section 10. Judgments. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

**Section 11. Clerk.** (a) The Clerk of the Circuit Court of Escambia County, Alabama, shall be ex officio clerk of the court herein established. He shall have power to appoint a deputy clerk and delegate to him such authority as may be necessary to carry out the provisions of this Act. The clerk shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the Court. (b) It shall be the duty of the clerk to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge. (c) The clerk shall have power and authority: 1) to administer oaths and take acknowledgements and affidavits; 2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; 3) to approve bonds in civil cases; 4) to enter all judgments, orders, and decrees of the court; 5) to certify all appeals and transcripts; 6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of the circuit courts. (d) The clerk shall attend the sessions of the court in person or by deputy and shall receive in addition to his regular fees as herein provided the sum of Ten dollars (\$10.00) per session of the court attended by him or his deputy in the City of Atmore, Alabama.

**Section 12. Transfer of pending cases.** All cases and actions pending in the county court on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it. This Act shall not apply to or affect any criminal or quasi-criminal cases pending in any justice of the peace court of this county on the effective date hereof.

**Section 13. Severability.** The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

**Section 14. Repealer.** All laws in conflict with this Act are repealed to the extent of the conflict.

**Section 15. Effective date.** This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

7-19-4c

#### AFFIDAVIT OF PUBLICATION

##### STATE OF ALABAMA ESCAMBIA COUNTY

M. L. Ritchie, being duly sworn, deposes and says that he is the Publisher of The Atmore Advance, a Weekly Newspaper published at Atmore, Escambia County, Alabama; that the notice hereto attached of Proposed Bill was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 19, 1951, Vol. XXIV No. 51

Date of 2nd publication July 26, 1951 Vol. XXIV No. 52

Date of 3rd publication August 2, 1951 Vol. XXV No. 1

Date of 4th publication August 9, 1951 Vol. XXV No. 2

Subscribed and sworn before the undersigned this 11 day of August 1951.

FRANK G. HORNE,  
Notary Public, Escambia County.

M. L. RITCHIE,  
Publisher.

Also:

By Mr. Fite (Marion):

H. 1018. To propose and provide for the submission of or amendment to the Constitution of Alabama; to validate certain local acts relative to Marion County, Alabama.

Also:

By Messrs. Dawkins, Sellers, Hall and Tennille:

H. 1051. Relating to counties having populations of not less than 96,000 nor more than 141,000 inhabitants; providing further for the nomination and election of members of the county governing body.

Also:

By Messrs. Adams (Jefferson), Dumas, Beatty, Huey and Meeks:

H. 1044. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing witness fees for deputies sheriff subpoenaed in certain cases, and providing for the disposition thereof.

Also:

By Messrs. Adams (Jefferson), Dumas, Beatty, Huey and Meeks:

H. 1043. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

Also:

By Mr. Wood:

H. 580. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing and directing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1042, 1026, 1025, 1048, 1045, 1020, 1027, 1023, 1019, 1018, 1051, 1044, 1043 and 580—To the Committee on Local Legislation.

(The bill, H. B. 1018, was read at length as required by the Constitution).

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 960. To provide for meetings of the Board of Registrars in counties having a population of not less than seventy-five thousand nor more than one hundred and thirty thousand inhabitants.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 591. To abolish the process of garnishment in aid of pending suits in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, the provisions of which Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the Civil Division of the Inferior Criminal Court of Mobile County, Alabama, and to repeal or declare inoperative all laws or parts of laws in conflict therewith.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Johnston (Mobile), the Senate concurred in and adopted the following House amendment to the Bill, S. B. 591, the title of which is set out in the foregoing Message from the House:

Amendment to S. B. 591

Amend S. B. 591 by striking therefrom Section 4 and renumbering the last two sections as 4 and 5 respectively.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Quarles
Benson	Farmer	McCary	Smith
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Thagard
Clayton	Johnston (Mobile)	Pinson	Todd
Eddins	Jones		

—21

Nays:

—0

## RESOLUTION

Mr. McCary offered the following Senate Resolution, to-wit:

S. R. 76—BE IT RESOLVED BY THE SENATE OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama, or a majority of them, are hereby respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in connection with Senate Joint Resolution 33, a measure now pending in the Legislature of Alabama which provides for calling a constitutional convention with limited powers.

Question 1. Is the Legislature of Alabama authorized by Section 286 of the Constitution to provide for a constitutional convention whose jurisdiction and power is limited by the act calling the convention?

Question 2. Does Section 286 of the Constitution prohibit the Legislature from restricting the jurisdiction and power of a constitutional convention which may be called in pursuance of an act or resolution duly enacted in accordance with Section 286?

Question 3. Does the proviso contained in Section 286 prevent the calling of a limited constitutional convention as proposed by S. J. R. 33?

BE IT RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to transmit forthwith four copies of this Resolution and four copies of S. J. R. 33 to the Clerk of the Supreme Court of Alabama.

Which was read and referred to the Standing Committee on Rules.

### BILLS ON THIRD READING RESUMED

#### The Bill:

S. 479. To amend the caption and Sections 3, 5, 6, 12, and 14 of the Farm to Market Road Act of 1943 (Act No. 329 adopted at the 1943 Regular Session of the Legislature), as heretofore amended, so as to eliminate all provisions pertaining to or restricting the source of the funds from which any county pays its share of the cost of constructing county roads under said act as amended; so as to eliminate all provisions therein respecting the setting aside by resolution of county funds from a specified source for the purposes of the said act, as amended; so as to provide that any anticipation of moneys for the purposes of said act, as amended, shall be governed by the applicable general law; so as to eliminate the provision permitting a county to contribute more than one-half the cost of constructing county roads under said act, as amended; so as to provide that the cost of constructing county roads under contracts hereafter made pursuant to said act, as amended, shall be computed on a negotiated unit price basis; so as to provide that counties may advance the share or contribution to be paid from the State County Aid Fund for any such road and may anticipate such contribution to the extent permitted by law; and so as to include provisions respecting the effect of non-performance by any county of an agreement for maintenance of roads constructed under said act, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 28; Nays 0.

#### Yeas:

Messrs.:	Farmer	Johnston (Mobile)	Richardson
Benson	Faulkner	Jones	Skidmore
Bonner	Foster	Larkins	Smith
Boutwell	Golson	Locke (Choctaw)	Sollie
Byars	High	Locke (Perry)	Todd
Clayton	Hollis	Pinson	Whatley
Eddins	Johnson (Chambers)	Reneau	Wright
Fant			

—28

#### Nays:

—0

#### The Bill:

H. 573. To amend Section 457, Title 51, Code of Alabama (1940), which relates to privilege license taxes on persons engaged in the business of selling or installing air-conditioning plants and equipment.

Was read a third time at length and passed.

Yeas 26; Nays 0.

#### Yeas:

Messrs.:	Clayton	Hollis	Locke (Perry)
Benson	Fant	Johnson (Chambers)	McCary
Bonner	Farmer	Johnston (Mobile)	Norrell
Boutwell	Faulkner	Jones	Pinson
Byars	Foster	Locke (Choctaw)	Quarles

Reneau	Robison	Thagard	Wright	
Richardson	Skidmore	Whatley		—26
Nays:				—0

The Bill:

H. 569. To exempt from taxation the recordation of all mortgages, deeds of trust, and other instruments of like character executed to secure loans made by any corporation or association authorized by Subchapter IV of Chapter 7, Title 12, United States Code Annotated, to make loans to its members for general agricultural purposes.

Was read a third time at length and passed.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Fant	Locke (Perry)	Skidmore	
Benson	Farmer	McCary	Smith	
Bonner	Faulkner	Norrell	Sollie	
Boutwell	Foster	Pinson	Thagard	
Byars	Hollis	Quarles	Whatley	
Clayton	Johnson (Chambers)	Reneau	Wright	
Eddins	Jones			—25

Nay:	Mr. Johnston (Mobile)	—1
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#### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Johnston (Mobile), further consideration of S. B. 303 was indefinitely postponed by the Senate.

On motion of Mr. Clayton, further consideration of S. B. 104 was indefinitely postponed by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Coburn:

H. 1022. Proposing an amendment to the Constitution of Alabama relating to Colbert County.

Also:

By Mr. Brannan:

H. 1047. Relating to Baldwin County: to authorize the governing body of Baldwin County to levy an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Baldwin County; providing for the assessment, collection and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### A BILL TO BE ENTITLED AN ACT

Relating to privilege licenses: levying and additional tax upon sellers of malt or brewed beverages who are engaged in that business in Bald-

win County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply in, and only in, Baldwin County, except as hereinafter provided it shall not alter or repeal any statute, but is in addition to and cumulative of laws now in effect.

Section 2. (a) As used in this Act, unless the context requires a different meaning: "person" includes a firm, corporation, club partnership, company trustee, agency, or association, or any agent, servant, employee, or officer thereof; "seller" means a person who is engaged in the business of selling distributing, delivering, storing or taking out of storage, malt; or brewed beverages within the county; "malt or brewed beverages" includes beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume. (b) The rules of construction and interpretation of statutes contained in Title I of the 1940 Code shall apply in the construction and interpretation of this Act.

Section 3. Each seller of malt or brewed beverages shall pay a license tax to the county in an amount equal to two cents on each twelve fluid ounces or fractional part thereof of malt or brewed beverages sold distributed, delivered, or taken out of storage within the county, unless an exemption is secured as provided by Section 6. The tax shall be in addition to all other taxes and licenses imposed by law except that this tax shall beverages imposed in any municipality in Baldwin County, whether imposed by ordinance or by a local act of the Legislature, and all such ordinances or local acts are hereby repealed.

Section 4. Each seller, except a seller who claims and obtains exemption under be in lieu of all taxes on malt or brewed the provisions of Section 6, shall, on or before the fifteenth day of each month, file with the County Commission and the license inspector of the county, on forms to be prescribed and furnished by the County Commission, a written statement, sworn to and subscribed by him, which shall show: (1) the name and address of the seller; (2) each purchase or receipt of malt or brewed beverages made by him during the calendar month next preceding; (3) the name and address of the distributor, seller, or other person from whom purchased, received, or procured; (4) the brands purchased or received; (5) the quantity of each brand; (6) the size and kind of containers of each brand; (7) the date or dates on which purchased, received, or procured; (8) the names and address of each distributor, seller, or other person to whom any malt or brewed beverages were sold, distributed, or delivered; (9) the quantity of each brand sold, distributed, or delivered to each; (10) the size and kind of containers of each brand.

Section 5. The license tax imposed by Section 3 shall be paid on or before the fifteenth day of each calendar month. The amount due shall be based on the sale, distribution, delivery, storage, and taking out of storage of malt or brewed beverages during the preceding calendar month.

Section 6. A seller purchasing malt or brewed beverages from any other seller who has paid the license tax imposed thereon by Section 3 is exempt from paying the tax upon his application to the County Commission. The application for exemption from the payment of the tax shall be made by the seller on or before the fifteenth day of each calendar month. The application verified by the oath of the seller, shall show: (1) the name and address of the applicant; (2) each purchase, receipt, or procurement of malt or brewed beverages made during the calendar month next preceding; (3) the name and address of the distributor, seller, or

other person from whom purchased, received, or procured; 4) the brand of the malt or brewed beverages; (5) the quantity of each brand; (6) the size and kind of containers of each brand; (7) the date or dates on which purchased, received, or procured; and (8) the disposition thereof by the seller claiming the exemption.

Section 7. It is unlawful for any agent, servant, or employee of any seller who is delinquent in the payment of the license tax required by this Act to assist or carry on the business of the seller. Each day the agent, servant, or employee of a delinquent seller engages in or assists in carrying on such business shall constitute a separate offense.

Section 8. (a) Each seller shall keep complete records of all purchases, sales, receipts, inventories, and all other matters necessary to determine the correct amount of license tax for which he is liable. In the event a seller discontinues his business he shall not dispose of his records without giving the County Commission and the license inspector thirty days' notice in writing. (b) The seller's records, books or accounts, bank deposit books, and bank statements shall be open, during reasonable hours at the place of business of the seller, for inspection and examination by the County Commission or their agent, and the license inspector. (c) In the event the amount of tax due by the seller cannot be accurately determined from the seller's monthly report, or if the seller does not keep adequate records, or if he refuses to allow an examination of his records, the amount of the tax due may be determined from any other information or data available, and the amount of the tax so determined shall be assessed against the seller. Notice of such assessment shall be given to the seller and a demand made for immediate payment. (d) No person shall divulge any information obtained by him in the course of an inspection and examination of the records of any seller, except to a person duly authorized by the county or municipal governing body, the license inspector, or others connected with the administration of this Act, unless he is required to do so by an order of a competent court.

Section 9. The license tax imposed by this Act shall be paid to the County Commission, and the proceeds, after the deduction of the commission hereinafter allowed to the County Commission for collecting such tax, shall be distributed by them as follows: Sixty per cent (60%) to the county board of education; and forty per cent (40%) prorated among the municipalities within the county upon the basis of their respective populations according to the last or any subsequent federal or other official census. For such services, the County Commission shall be entitled to commissions of five per cent (5%) of all taxes collected, and it shall be the duty of the Commission to collect or cause to be collected the tax imposed herein and to enforce the provisions of this Act.

Section 10. A person who violates the provisions of this Act is guilty of a misdemeanor; and each day his violation continues shall constitute a separate offense.

Section 11. No seller shall continue in business when he is in default in payment of the tax imposed by this Act. In addition to other penalties, a delinquent taxpayer shall be liable for a penalty of twenty per cent of the amount found to be due by him. Penalties shall be paid into the general fund of the county.

Section 12. This Act shall not apply to acts or transactions in interstate commerce; nor shall any provision hereof apply to any business conducted by or for the United States or any other government.

Section 13. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid or inoperative, the remainder of the Act and the application thereof to any other person or circumstance shall not be affected thereby.



Section 14. The substantial provision of this Act shall become operative only if approved by a majority of the electors of Baldwin County voting in a referendum to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature. The governing body of Baldwin County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. —, of the 1951 Regular Session of the Legislature, approved the — day of —, 1951, be adopted? Yes ( ) No ( )." If a majority of the votes cast at the election are "yes," the provisions of this Act shall become operative immediately. If a majority are "no," the Act shall have no effect. 26-4tc

#### AFFIDAVIT OF PUBLICATION

#### STATE OF ALABAMA BALDWIN COUNTY

JIMMY FAULKNER, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill - Privilege Licenses was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 19, 1951 Vol. 62 No. 26

Date of 2nd publication July 26, 1951 Vol. 62 No. 27

Date of 3rd publication Aug. 2, 1951 Vol. 62 No. 28

Date of 4th publication Aug. 9, 1951 Vol. 62 No. 29

Subscribed and sworn before the undersigned this 9 day of Aug., 1951.

DOROTHY MARTIN,  
Notary Public, Baldwin County.

JIMMY FAULKNER,  
Publisher.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1022—To the Committee on Constitution and Constitutional Revision and Amendments.

(The above bill was read at length as required by the Constitution.)

H. B. 1047—To the Committee on Local Legislation.

#### RESOLUTION

Mr. Boutwell offered the following Senate Joint Resolution, to-wit:

S. J. R. 77. Be it resolved by the Senate, the House of Representatives concurring, that House Bill 569 which has passed both Houses, be known and designated as "The Hall, Adams (Dale), Clayton, Reneau, Farmer and Faulkner Bill".

And the Rules were suspended and the Resolution adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 169. To authorize the Commissioner of Revenue, or his successor in office, with the approval of the Governor, to promulgate rules and regulations determining the number, type or kind, size and method of placement or attachment of license tags, stamps, discs, plates or other devices evidencing registration of motor vehicles, when the Governor has proclaimed an emergency to exist, and providing for the termination of such emergency by a proclamation of the Governor; providing that the violation of any rule or regulation issued under the authority of this Act shall be a misdemeanor and punishable as such; repealing conflicting laws; providing for the severability of the Act and for the effective date thereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 93. Relating to taxation: To exempt feedstuffs from the State's sales and use taxes.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE AMENDMENT TO HOUSE  
BILL NO. 93:

Amend House Bill No. 93, Section 4, by striking therefrom the word and figure "April 1," and inserting in lieu thereof the word and figure "June 30".

Mr. Golson offered the following amendment to the Committee amendment to the Bill, to-wit:

Amendment to Committee Amendment to H. B. 93

Amend H. B. 93 by striking therefrom Section 4 and adding in lieu thereof the following:

"Section 4. This Act shall become effective on October 1, 1951."

On motion of Mr. Clayton said amendment was laid on the table.

Yeas 16; Nays 15.

Yeas:

Messrs.:  
Boutwell  
Byars  
Clayton  
Fant

Farmer  
Hollis  
Johnson (Chambers)  
Johnston (Mobile)

Phillips  
Quarles  
Richardson  
Skidmore

Sollie  
Thagard  
Whatley  
Wright

*Nays:*

Messrs.:	Foster	Locke (Choctaw)	Reneau
Benson	Golson	Locke (Perry)	Robison
Bonner	High	Norrell	Smith
Eddins	Jones	Pinson	Todd

—15

Mr. Golson also offered the following amendment to the Committee Amendment to the Bil, to-wit:

Amendment to Committee Amendment to H. B. 93

Amend Committee Amendment to H. B. 93 by striking therefrom Section 4 and adding in lieu thereof the following:

"Section 4. This Act shall become effective January 1st, 1952."

On motion of Mr. Clayton, the amendment was laid on the table.

Yeas 17; Nays 16.

*Yeas:*

Messrs.:	Farmer	Phillips	Sollie
Boutwell	Faulkner	Quarles	Thagard
Byars	High	Richardson	Whatley
Clayton	Hollis	Skidmore	Wright
Fant	Johnston (Mobile)		

—17

*Nays:*

Messrs.:	Golson	Locke (Perry)	Reneau
Benson	Johnson (Chambers)	McCary	Robison
Bonner	Jones	Norrell	Smith
Eddins	Locke (Choctaw)	Pinson	Todd
Foster			

—16

And said Committee Amendment was then adopted.

Yeas 19; Nays 14.

*Yeas:*

Messrs.:	Farmer	Johnston (Mobile)	Skidmore
Boutwell	Faulkner	Jones	Sollie
Byars	High	Phillips	Thagard
Clayton	Hollis	Quarles	Whatley
Fant	Johnson (Chambers)	Richardson	Wright

—19

*Nays:*

Messrs.:	Foster	McCary	Robison
Benson	Golson	Norrell	Smith
Bonner	Locke (Choctaw)	Pinson	Todd
Eddins	Locke (Perry)	Reneau	

—14

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 31; Nays 0.

*Yeas:*

Messrs.:	Boutwell	Eddins	Faulkner
Benson	Byars	Fant	Foster
Bonner	Clayton	Farmer	Golson

High	Larkins	Phillips	Skidmore
Hollis	Locke (Choctaw)	Pinson	Smith
Johnson (Chambers)	Locke (Perry)	Quarles	Sollie
Johnston (Mobile)	McCary	Reneau	Thagard
Jones	Norrell	Robison	Whitley

—31

Nays:

—0

## REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report with substitute, to-wit:

H. J. R. 112. Relative to adjournment of the two Houses until Friday, August 24, 1951.

The Rules Committee reported the following substitute for the Resolution, to-wit:

Be it resolved by the Senate, the House concurring, that when the two houses adjourn today they adjourn to meet again on Thursday, August 23, at 10:00 o'clock A. M.

Which was adopted.

And the Resolution, H. J. R. 112, as amended by the substitute, was then adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 635. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for under-graduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics and agriculture.

Also:

H. 800. To authorize the creation of a public corporation for the purpose of completing the construction and equipment of the coliseum building and necessary facilities in connection therewith located in the Alabama Agricultural Center; to authorize the conveyance to the said corporation by the state of the said coliseum building in its present uncompleted condition together with lands in connection therewith; to authorize the issuance by said corporation of interest bearing revenue bonds, not exceeding \$1,250,000 in aggregate principal amount, for the purpose of completing the construction and equipment of the said coliseum building and necessary facilities in connection therewith and the improvement of said lands, to be payable solely out of the rentals received in the leasing of properties of said corporation; to make provisions respecting such bonds including a provision that they shall constitute negotiable instruments; to authorize the lease by the said corporation of all or any part of its properties to the Agricultural Center Board; to authorize, as security for said bonds, the pledge of said lease and the rentals payable thereunder and the creation of a lien on said rentals; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge and lien and to provide that such filing will constitute constructive notice thereof; to provide the use to which the proceeds

from the sale of said bonds may be put; to specify conditions covering the letting of contracts for the completion of the construction and equipment of said coliseum building and necessary facilities in connection therewith; to authorize the issuance of refunding bonds by said corporation; to impose on the State Treasurer the duty of disbursing the proceeds of said bonds and said rentals; to provide that said bonds shall constitute legal investments for fiduciaries, savings banks and insurance companies and shall be eligible as security for the deposit of funds of the state and its instrumentalities; to exempt from taxation the properties of said corporation and the rentals derived therefrom, the said bonds and the income therefrom, and all lease agreements and pledge and lien instruments authorized hereunder; to provide for the publication of notice of the adoption of a resolution authorizing the issuance of said bonds and to specify a limitation of time thereafter for actions or defenses questioning the validity of said bonds or the pledge made therefor; and to provide for the dissolution of said corporation and the conveyance to the state of the properties of the corporation upon payment of its bonds and the obligations incurred by it under the provisions of this act.

Also:

H. 801. To authorize the Agricultural Center Board to lease the coliseum building and any facilities necessary in connection therewith forming a part of the Alabama Agricultural Center from any public corporation organized for the purpose of completing and equipping said coliseum building and facilities; to specify provisions for said lease; to authorize the said board to operate the properties leased and make contracts respecting the same and charges in connection therewith; to provide that said lease shall not constitute or give rise to an indebtedness of the state and that the rentals thereunder shall be payable solely out of moneys in the Agricultural Center Fund derived from the operation of the properties so leased and, to the extent to which such revenues may not be sufficient to pay said rentals and the operating and administrative expenses of the board, out of moneys accruing to the Agricultural Fund under the provisions of Section 31 of Title 2 of the Code of 1940, and to make continuing appropriations therefor out of said funds; to repeal Sections 2 and 4 of Act Number 282 adopted at the 1945 Regular Session of the Legislature of Alabama; and to specify the effective date of this Act.

Also:

H. 960. To provide for meetings of the Board of Registrars in counties having a population of not less than seventy-five thousand nor more than one hundred thirty thousand inhabitants.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 512. Relating to cities having a population of not less than twen-

ty-nine thousand nor more than forty-five thousand inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the population of the United States; providing for the allocation of the duties of the chairman and members of the city commission of such cities, and providing for their compensation.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 494. To amend Section 714, Title 51, Code of Alabama 1940, which relates to the fees of probate judges for issuing licenses for operating motor vehicles.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate non-concurred in the following House amendment to the Bill, S. B. 494, the title of which is set out in the foregoing Message from the House.

Amend Senate Bill 494 by adding Section 1A

1A "The fees of this Act shall apply only to private vehicles receiving the benefit of the \$3.00 tag."

And requested Committee on Conference.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Clayton, Boutwell and Wright.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

H. 374. Authorizing and prescribing the procedure for civil proceedings to compel the support of certain persons within and without the state by other persons under a legal obligation to support them.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 374—To the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

H. 1041. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Chambers County, empowering the governing body of said County to levy and collect, for a period not exceeding twelve years, a special ad valorem tax on real and tangible personal property only, within said County, the proceeds of such tax to be used solely for acquiring, constructing and equipping public school buildings within said County, for paying the principal of and interest on bonds which may be hereafter issued by said County under the provisions of said proposed amendment, and for the redemption of said bonds, and providing for a county-wide election to authorize the levy of said tax, and providing for the issuance and sale of tax anticipation bonds of said County not constituting general obligations of said County.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee as follows:

H. B. 1041—To the Committee on Constitution and Constitutional Revision and Amendments.

### BILLS ON THIRD READING RESUMED

#### The Bill:

S. 583. To authorize and provide for the payment of the sum of \$216.86 for the relief of Joel M. Ragland, who was seriously injured while employed by the State of Alabama in the line and scope of his employment.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 31; Nays 0.

#### Yeas:

Messrs.:	Farmer	Larkins	Richardson
Benson	Faulkner	Locke (Choctaw)	Robison
Bonner	Foster	Locke (Perry)	Skidmore
Boutwell	High	McCary	Smith
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Pinson	Thagard
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright

—31

#### Nays:

—0

#### The Bill:

S. 597. To transfer the fund appropriated by Act No. 559, S. 285, approved July 7, 1943 (General Acts, 1943, p. 551) to the State Building Commission, and to provide for the use thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 33; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
Benson	Foster	Locke (Perry)	Robison
Bonner	Golson	McCary	Skidmore
Boutwell	High	Norrell	Smith
Byars	Hollis	Phillips	Sollie
Clayton	Johnson (Chambers)	Pinson	Thagard
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright
Farmer	Larkins		

—33

*Nays:*

—0

**The Bill:**

H. 413. To amend Section 380 of Title 13 of the Code of Alabama (1940), which relates to the appointment of clerks in juvenile courts.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Golson	Norrell	Sollie
Benson	High	Phillips	Thagard
Boutwell	Hollis	Pinson	Todd
Byars	Jones	Quarles	Whatley
Fant	Larkins	Smith	Wright
Farmer	McCary		

—21

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Skidmore:

S. J. R. 75. Relating to the designation of the dormitory for men at the University of Alabama as "The V. Hugo Friedman Dormitory".

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Harrison (Shelby):

H. J. R. 115. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that S. B. 496 be known as the Johnston (Mobile), Skidmore, Dumas, Pruitt and Malone Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

**HOUSE MESSAGE**

On motion of Mr. Clayton the Rules were suspended and the Resolu-



tion, H. J. R. 115, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT OF COMMITTEE  
ON  
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Thirty-first Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the Thirty-first Legislative day approved by the Senate.

ADJOURNMENT

At 5:20 P. M. Mr. Bonner moved that the Senate do now adjourn until 10 o'clock A. M. Thursday, August 23, 1951.

Mr. Clayton moved as a substitute motion that the Senate adjourn until Friday, August 24, 1951, at 9 o'clock A. M., which was adopted, and at 5:25 P. M. the Senate did adjourn until Friday, August 24, 1951, at 9 o'clock A. M.

Yeas 22; Nays 11.

Yeas:

Messrs.:	Fant	Jones	Reneau	
Benson	Farmer	Larkins	Richardson	
Boutwell	Faulkner	McCary	Robison	
Byars	Foster	Norrell	Whatley	
Clayton	High	Pinson	Wright	
Eddins	Hollis	Quarles		—22

Nays:

Messrs.:	Johnson (Chambers)	Locke (Perry)	Smith	
Bonner	Johnston (Mobile)	Phillips	Sollie	
Golson	Locke (Choctaw)	Skidmore	Thagard	—11

THIRTY-SECOND LEGISLATIVE DAY

FRIDAY, AUGUST 24, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

PRAYER

The Session was opened with prayer by Rev. Everett H. Phillips, Assistant Minister, First Presbyterian Church.

## ROLL CALL

Present:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whately
Fant	Jones	Reneau	Wright
Farmer	Larkins	Richardson	

—34

## JOURNAL

On motion of Mr. Clayton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 165. For the relief of Cyril L. Smith: making an appropriation of One Hundred Eighty-four (\$184.00) Dollars to Cyril L. Smith as compensation for medical expenses incurred while in the service of the Alabama Alcoholic Beverage Control Board.

Also:

S. 169. To authorize the Commissioner of Revenue, or his successor in office, with the approval of the Governor, to promulgate rules and regulations determining the number, type or kind, size and method of placement or attachment of license tags, stamps, discs, plates or other devices evidencing registration of motor vehicles, when the Governor has proclaimed an emergency to exist, and providing for the termination of such emergency by a proclamation of the Governor; providing that the violation of any rule or regulation issued under the authority of this Act shall be a misdemeanor and punishable as such; repealing conflicting laws; providing for the severability of the Act and for the effective date thereof.

Also:

S. 420. To authorize Alabama Institute for Deaf and Blind, a body corporate, to borrow money for the purpose of paying salaries of employees, and for the purpose of paying expenses of operating said Alabama Institute for Deaf and Blind, and for the purpose of paying obligations already incurred in the operation of said Alabama Institute for Deaf and Blind.

Also:

S. 468. Relating to Franklin County: Authorizing municipal corporations in the county to establish, purchase, construct, maintain and operate telephone systems and to furnish telephone service to residents of the municipal corporations and surrounding territory; prescribing their powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporations in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the

holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

S. 496. Relating to the administration of pardons, paroles, and the remission of fines and forfeitures; amending Chapter 1, Title 42, Code of Alabama (1940).

Also:

S. 591. To abolish the process of garnishment in aid of pending suits in all proceedings in Courts of the Justices of the Peace in Mobile County, Alabama, the provisions of which Act shall not apply to the Inferior Civil Court of Mobile, nor to the Inferior Criminal Court of Mobile County, Alabama, nor to the Civil Division of the Inferior Criminal Court of Mobile County, Alabama, and to repeal or declare inoperative all laws or parts of laws in conflict therewith.

Also:

S. 594. To further amend Section 1 of an Act approved May 20, 1935 entitled, "An Act to allow the Sheriff of Elmore County, Alabama, an additional deputy sheriff to that now provided by law, to fix the salary of said deputy and make the same payable out of the General Funds of Elmore County in monthly installments, said deputy sheriff to be appointed by the Sheriff of Elmore County and to be located at Tallassee, Alabama, and shall be eligible to perform duties of his office anywhere in said County, and to require bond of said deputy sheriff and fix the amount thereof", as amended by Local Acts of 1939, page 177, approved August 25, 1939, and as further amended by Local Acts of 1949, page 62, approved June 2, 1949.

HERBERT B. BYARS,  
Chairman.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. B. 673. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, with-drawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of

laws in conflict with this act, and to provide when this act shall become effective.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that there will be introduced at the present session of the Legislature a local bill in substance as follows:

#### A BILL TO BE ENTITLED AN ACT

To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of laws in conflict with this act, and to provide when this act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Revenue of Tuscaloosa County, Alabama, may levy and collect and place in the General Fund of Tuscaloosa County, Alabama, a privilege tax of not more than one and one-half cents on each twelve fluid ounce or fractional part thereof of malt, or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more of alcohol by volume on all persons, corporations, co-partnerships, companies, agencies and associations selling, distributing, delivering, storing or taking out of storage, for the privilege of selling, storing, delivering, or taking the same out of storage in the County of Tuscaloosa, Alabama. The privilege tax herein levied shall be in addition to all other taxes and licenses now or hereafter imposed by law.

Section 2. The said Board of Revenue may also provide rules and regulations and machinery for the collecting of such privilege tax and provide penalties for the violation of such rules and regulations, and may provide for the collection of said tax by each wholesale storer, seller or distributor of said beverage.

Section 3. All of the net proceeds of said privilege tax collected within said County shall be paid into and become a part of the General Fund of said Tuscaloosa County, Alabama, to be used for governmental purposes of Tuscaloosa County, as other moneys in said General Fund of Tuscaloosa County are now used.

Section 4. This act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Section 5. All laws and parts of laws, general, special or local in conflict with this act are hereby expressly repealed.

Section 6. If any clause, sentence, section or other part of this act

should be declared unconstitutional, the same shall not affect the remaining part.

The Tuscaloosa News—July 31—August 7-14-21—4tc.

### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on July 31, August 7, August 14, and August 21, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me Aug. 22, 1951.

LILLA COLLINS,  
Notary Public.

By Mr. Skidmore:

S. B. 674. To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling Liquor, Malt or Brewed Beverages, as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the present session of the Legislature reading substantially as follows, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling "Liquor, Malt or brewed beverages," as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

Be It Enacted by the Legislature of Alabama:

Section 1. Each city or town within the County of Tuscaloosa may levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling "Liquor, Malt or brewed beverages," as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of

the corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.  
Tuscaloosa News, July 31—August 7-14-21—4tc.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on July 31, August 7, August 14, and August 21, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me Aug. 22, 1951.

LILLA COLLINS,  
Notary Public.

By Mr. Skidmore:

S. B. 675. For the relief of R. E. LeSueur.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that there will be introduced at the present session of the Legislature of Alabama, a Bill in substance as follows:

#### A BILL TO BE ENTITLED AN ACT

For the relief of R. E. LeSueur.

WHEREAS, R. E. LeSueur, an employee of Tuscaloosa County, received personal injuries in the course of his employment by Tuscaloosa County on August 5, 1948, and as a consequence thereof he is permanently, partially disabled and has received no compensation for such injury, THEREFORE,

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Tuscaloosa County is hereby authorized and directed to pay out of any funds in the County Treasury of Tuscaloosa County not otherwise appropriated or obligated, the sum of One Thousand (\$1,000.00) Dollars to R. E. LeSueur as compensation for his permanent, partial disability, received in the course of his employment by Tuscaloosa County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Tuscaloosa News

Aug. 1—8—15—22—4tc

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on August 1, August 8, August 15, and August 22, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me Aug. 22, 1951.

LILLA COLLINS,  
Notary Public.

By Mr. Boutwell:

S. B. 676. To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system.

Committee on Local Legislation.

By Mr. Thagard:

S. B. 677. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL NOTICE

Notice is hereby given that at the 1951 regular session of the Legislature of Alabama application will be made for the introduction of a bill, affecting Butler County only, substantially as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Greenville, Butler County, Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all territory now within such corporate limits, and certain other territory in Butler County, Alabama, contiguous thereto, all of which territory is described as follows, viz:

The West Half, and the West Half of East Half, and all of that part of the Southeast Quarter of Southeast Quarter lying west of Persimmon Creek, of Section THIRTEEN; all of Section FOURTEEN; the East Half of Southeast Quarter, and the East Half of Northeast Quarter and the Northwest Quarter of Northeast Quarter of Section FIFTEEN; the East Half of East Half of Section TWENTY-TWO; all of Section TWENTY-THREE; West Half, and West Half of East Half, and all that part of the East Half of East Half lying west of Persimmon Creek, of Section TWENTY-FOUR; the North Half of Northwest Quarter, and all that part of the West Half of Northeast Quarter lying west of Persimmon Creek, and all that part of the Southeast Quarter of Northwest Quarter lying west of United States Highway 31, and all that part of Northeast Quarter of Southwest Quarter lying west of United States Highway 31, of Section TWENTY-FIVE; the North Half of Northeast Quarter and the East Half of Northwest Quarter of Section TWENTY-SIX; and the East Half of East Half, of Section TWENTY-SEVEN; all in Township Ten, Range Fourteen.

Section 2. That all laws and parts of laws, general, local or special, in conflict with the provisions of this act be and the same are hereby repealed.

Section 3. That this act shall be effective on and after the 1st day of October, 1951. 43c4

#### STATE OF ALABAMA BUTLER COUNTY

Personally appeared before me, Pauline B. Fulton, a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of July 26, August 2, August 9 and August 16, 1951 being numbers 43, 44, 45, 46, respectively of Volume 86.

J. G. STANLEY.

Sworn to and subscribed before me, this 20 day of August, 1951.

PAULINE B. FULTON,  
Notary Public.

By Mr. Andrews:

S. B. 678. To establish the Alabama Commission on Intergovernmental Relations; providing for its organization, membership, powers, duties and personnel; providing for the compensation and expenses of its members and the compensation of its personnel; and making an appropriation to carry out the provisions of the Act.

Committee on Finance and Taxation.

By Mr. Clayton:

S. B. 679. Relating to taxation; to exempt exchanges of cottonseed meal for cottonseed at gins from the sales and use taxes.

Committee on Finance and Taxation.

By Mr. Todd:

S. B. 680. Proposing an amendment to the Constitution of Alabama relating to Colbert County.

Committee on Constitution and  
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.



By Mr. McCary:

S. B. 681. Relating to counties having a population of not less than seventy-four thousand nor more than ninety-three thousand inhabitants; to provide for the development of such counties; creating a county development board for each such county; providing for its organization, powers, functions, duties and personnel; providing for the payment of its expenses and for the compensation of its personnel; and authorizing the board to acquire, own, lease and dispose of properties for the purpose of promoting industry and developing trade and to issue revenue bonds to carry out its powers.

Committee on Local Legislation.

## REPORTS OF COMMITTEES

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Farmer:

S. 644. To amend Section 201 of Act No. 199, of the Regular Session of the Legislature of Alabama approved July 8, 1949, (General Acts of Alabama of 1949, Page 230, et seq.) which act amends Chapter 9, Title 15 of the Code of Alabama of 1940 relating to Bail.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCary (without recommendation):

S. 648. Abolishing the Boxing and Wrestling Commission existing pursuant to Section 347 of Title 55, Code of Alabama 1940; and establishing in lieu thereof the State Boxing and Wrestling Commission, and prescribing the duties, power, authority, and compensation of members thereof.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Reneau (with substitute):

S. 668. To provide for the Statute of Limitations of three years in which to assess Sales Tax levied under Article 10, Chapter 20, Title 51, Code of Alabama 1940, after same becomes in default; the tolling of the Statute of Limitations; the severability of the Act; the repeal of laws in conflict herewith; and the effective date of this Act.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Thomason and Tumlin:

H. 257. To amend Section 265 of Title 13 of the Code of Alabama, 1940, which relates to the appointment of special court reporters.

By Messrs. Meeks, Adams (Jefferson) and Beatty:

H. 374. Authorizing and prescribing the procedure for civil proceedings to compel the support of certain persons within and without the state by other persons under a legal obligation to support them.

By Messrs. Dumas, Kaul, Meeks, Beatty, Morgan (Jefferson), and Adams (Jefferson):

H. 805. To further amend section 196 of title 13, Code of Alabama (1940), which relates to the offices of circuit clerk and vacancies in such office.

By Mr. Meeks:

H. 848. To amend Section 342, Title 15, Code of Alabama (1940), which relates to the imposition by the court of a sentence to additional hard labor in cases in which the accused is convicted and the costs are not presently paid.

By Messrs. Gallalee, Pflieger and Wilkins:

H. 891. To amend Section 189 of Title 51 of the Code of Alabama of 1940 with reference to the Tax Collector keeping his Court House office open and visiting precincts for the collection of taxes.

By Messrs. Martin, Crook, Hardy, Selden, Wilson, DeSear, Molette, Engelhardt, Givhan, Bamburg, Lee, Thomas, Springer, Brassell, Sellers, Robinson, Langdon, Hall, Tennille, Crocker, McKee, Oakley, Mathews, McNider and Pruitt:

H. 918. Relating to the Legislature and legislative representation: To fix the number of representatives and apportion them among the several counties of the State.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Wilkins and Pflieger (with substitute):

H. 973. To amend Section 93 of Title 37 of the Code of Alabama of 1940; to fix the terms of Commissioners of cities and towns in the State of Alabama which are operating under the provisions of Article 2 of Chapter 4 of Title 37 of the Code of Alabama 1940 as amended; repealing all laws in conflict herewith and providing for the effective date of the provisions hereof.

Mr. Reneau, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Scruggs and Fite (Marion):

H. 986. To amend Section 1 of Act No. 128 of the regular session of the Legislature of Alabama of 1949, approved June 23, 1949, entitled "An Act to provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this State as to doing business herein shall be deemed to have appointed the Secretary of State, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served; and for other purposes" and to provide to what proceedings this Act is applicable.

Mr. Foster, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite (Marion):

H. 1009. To propose and provide for the submission of an amendment

to the constitution of Alabama; to authorize each of the municipalities in Marion County, Alabama to acquire and equip properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural and manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize such municipalities to lease such properties subject to certain specified requirements; to authorize such municipalities to finance the acquisition and equipment of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the amendment; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for trust funds and for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof; and to provide that publication of any proceedings hereunder is not required.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Coburn:

H. 1001. To propose and provide for the submission of an amendment to the constitution of Alabama; to authorize each of the municipalities in Colbert County, Alabama to acquire and equip properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural and manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize such municipalities to lease such properties subject to certain specified requirements; to authorize such municipalities to finance the acquisition and equipment of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the amendment; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for trust funds and for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof; and to provide that publication of any proceedings hereunder is not required.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Morgan (Jefferson):

H. 802. Proposing an amendment to the Constitution of Alabama: to prohibit the Legislature and every county, municipality or other political subdivision of the State from increasing the salary, fees or compensation of any officer of the State or of any county, municipality or other political subdivision of the State, who is elected or appointed for a fixed term, during the term for which he is elected or appointed.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. McClendon and Reynolds (Chambers):

H. 1041. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Chambers County, empowering the governing body of said County to levy and collect, for a period not exceeding twelve years, a special ad valorem tax on real and tangible personal property only, within said County, the proceeds of such tax to be used solely for acquiring, constructing and equipping public school buildings within said County, for paying the principal of and interest on bonds which may be hereafter issued by said County under the provisions of said proposed amendment, and for the redemption of said bonds, and providing for a county-wide election to authorize the levy of said tax, and providing for the issuance and sale of tax anticipation bonds of said County not constituting general obligations of said County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Todd:

S. 643. Relating to Franklin County; proposing an amendment to the Constitution of Alabama to authorize the issuance of bonds by the county for the construction of an agricultural building and providing for the construction thereof; and ordering an election on the proposed amendment.

The above Bill was read a second time at length as required by the Constitution.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Skidmore, Eddins, Thagard, Todd, Fant, High, Smith, Faulkner, Johnson (Chambers), Reneau, McCary, Quarles, Phillips, Boutwell, Robison, Wright, Pinson, Locke (Choctaw), Jones, Hollis, Farmer and Byars (with amendment):

S. 663. Relating to state government administration; providing for and establishing a state employees' suggestion system; making appropriations to carry out the purposes of the Act.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Adams (Jefferson):

H. 794. To amend Act No. 531 of the General Acts of Alabama of 1947, (1947 Acts page 388), to designate fees, compensation for Registrars in all Counties in the State of Alabama.

By Mr. Johnston (Mobile):

S. 671. To amend Act No. 49, General Acts of Alabama 1947, approved 1 July 1947.

By Messrs. Shelton and Meeks:

H. 795. To apply only in counties in which the Tax Assessor is compensated on a salary basis; prohibiting the Tax Assessor from charging or receiving any fee for serving on any taxpayer any notice of an order issued by the Department of Revenue or the County Board of Equalization.

By Mr. Mathews:

H. 998. To make an additional appropriation to the Department of Archives and History to increase the salaries of the military and the civil archivist and the senior librarian.

By Mr. Thomason:

H. 963. For the relief of H. T. Scarborough.

By Mr. McCary:

S. 649. To make appropriations for the use of the Trade School at Jacksonville, Calhoun County.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boutwell:

S. 647. Relating to the registration and purgation of voters in counties having a population of 400,000 or more according to the 1950 or any succeeding decennial Federal Census; providing for the selection and compensation of the chairman of the Board of Registrars; providing for meeting days of the Board of Registrars for the registration and purgation of voters; conferring power on the Board of Registrars to establish, alter and consolidate election districts and precincts and designate voting places and to manage and control its office, to employ clerks and personnel subject to the provisions of any Merit and Civil Service System Act having application in such county, and to be the appointing authority of all of its employees subject to the provisions of any such Merit or Civil Service System Act, and to divest the governing body of such county and the Judge of Probate of such county of all such powers, functions and duties; and providing that this Act shall supersede all laws and parts of laws in so far as such counties are concerned.

By Mr. Skidmore:

S. 652. To provide additional compensation for certain county officers in counties having a population of not less than ninety-three thousand and nine hundred nor more than one hundred thirty-seven thousand inhabitants and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

By Mr. Skidmore:

S. 654. Relating to the Sixth Judicial Circuit of Alabama; prescribing the method of striking juries in civil and criminal cases; repealing conflicting laws.

By Mr. Todd:

S. 655. Relating to counties having populations of not less than 38,800 nor more than 39,550 inhabitants; creating a School House Commission therein; providing for the nomination, appointment, and term of the chairman and members of the commission; and prescribing the powers, authority, and duties of the commission.

By Mr. Todd:

S. 657. Relating to municipalities having a population of not less than 5,800 nor more than 6,200 inhabitants; to provide for zoning in such municipalities; providing for a zoning commission therein; and providing for its membership, powers, authority, functions and duties.

By Mr. Boutwell:

S. 664. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the President of such Commission or Board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding Federal Census, and to fix the time and regulate the mode of payment of such salaries.

By Mr. Boutwell:

S. 665. To direct the governing body of each county in the State having a population of 400,000 or more according to the last or any succeeding decennial Federal Census, to appropriate and pay compensation and salaries to certain officers who are paid in whole or in part from the funds of such county and to assign new and additional duties to some of such officers.

By Mr. Boutwell:

S. 666. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of 400,000 or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Mr. Boutwell:

S. 667. Relating to the compensation of circuit judges and the judge of probate in any circuit in the State composed of one county having more than five circuit judges and to provide for the salaries of such judges at the beginning of the next term of office in the event that any constitutional amendment restricting an increase in the salaries of such judges shall have been ratified prior to the date of the beginning of their next term of office.

By Mr. Skidmore (with notice and proof):

S. 669. Relating to Tuscaloosa County; providing that the Sheriff of said county may from time to time designate which of his deputies shall serve as chief deputy.

By Mr. Norrell:

S. 670. To provide that in all counties having a population of not less than 13,500 nor more than 15,500, the Board of County Commissioners, Board of Revenue, or other like governing boards may designate one or more State or National Banks as the County Depository.

By Mr. Larkins:

S. 672. To impose extra, new, and additional duties upon the members of the county governing body of any county of the State having a population of not less than thirty thousand (30,000) nor more than thirty-three thousand five hundred (33,500) inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

By Mr. Robison:

S. 660. To amend Section 19 of Act 781, approved September 28, 1915, as said act is amended by Act 131, approved February 17, 1919, which relates to firemen's pension and relief fund.

By Mr. Robison:

S. 661. To amend Section 546 of Title 62 of the Code of Alabama of 1940 which relates to firemen's pension and relief fund.

By Mr. Robison:

S. 662. To provide for and prescribe the form of government for all cities of Alabama having a population of not less than 100,000 nor more than 120,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census.

By Messrs. Tumlin and Thomason (with notice and proof):

H. 660. Relating to Calhoun County: To prescribe the compensation of the Circuit Clerk of Calhoun County, placing him on a salary, providing for clerical assistance, office space and equipment for him, and repealing Act No. 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 107).

By Messrs. Thomason and Tumlin (with notice and proof):

H. 778. To amend Section 2 of Act No. 20, S. 58, approved January 26, 1937 (Local Acts of Alabama, Extra Session, 1936-37, page 14) entitled "An Act to provide a Fund for the support of a Law Library for the Circuit Court of Calhoun County, Alabama, without appropriation from the State or County Treasury by the assessment and collection of court cost in all suits, actions and proceedings hereafter filed or brought to said court, and provide for the regulation and control of said fund."

By Mr. Robison (with notice and proof):

S. 659. To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

By Messrs. Thomason and Tumlin (with notice and proof):

H. 779. For the relief of Mrs. Clarence William Carter as compensation for the death of her husband, Clarence William Carter, deceased, of Anniston, Alabama, as a result of injuries received by him when struck by a police car owned, and being operated on official business, by the City of Anniston, Alabama.

By Messrs. Adams (Jefferson), Huey and Beatty:

H. 880. To apply only in cities having a population of more than 250,000 inhabitants according to the last Federal Decennial Census, or any subsequent Federal Decennial Census; to authorize and empower the City Commission or other governing body of any city having a population of more than 250,000 inhabitants according to the last Federal Decennial Census or any subsequent Federal Decennial Census to contract for and obtain, either by changes or modifications in existing group insurance policies issued under the authority of Act No. 376, General Acts of Alabama, 1947, Page 267, approved August 16, 1947, or by new or substituted group policies issued under authority of said Act, group life, health, accident and hospitalization insurance, or any one or more of said types or forms of such group insurance, for the benefit of the members of said City Commission or other governing body of said City, which shall provide that any member of such City Commission or other governing body of said City electing to become insured under any such group policy during his tenure of office may remain covered and insured under any such policy after retiring or otherwise vacating his office as a member of such City Commission or other governing body of said City, provided he agrees, and said policy or policies provide, that the maintenance and continuation of such insurance shall henceforth be at his sole cost and expense and without any cost or expense to said City; to provide that no such changed, modified, new or substituted policy or policies shall operate to alter or impair benefits or rights conferred upon other officials or employees of said City insured under any such group policy heretofore issued under the authority of said Act No. 376; and to provide that this Act shall not be construed to authorize any such city or governing body thereof to anticipate or participate in anticipating pay-

ment of premiums on any such group policy for or on behalf of any member of the governing body thereof, before such premiums become due, not to fully pay up or participate in fully paying up all premiums on any such policy so as to make same a fully paid up policy for or on behalf of any such member of such governing body prior to or at the time of his retirement from such governing body.

By Messrs. Adams (Jefferson), Kaul, Meeks and Morgan (Jefferson):

H. 978. To define, regulate and license barbers and barber colleges, and other like businesses in counties of the State of Alabama having a population of four hundred thousand or over, according to the last or any subsequent Federal Census; to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

By Messrs. Kaul, Meeks, Beatty, Huey, Morgan (Jefferson), and Adams (Jefferson):

H. 991. To levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act.

By Mr. Oden (with notice and proof):

H. 999. Relating to Franklin County: To fix the compensation of the Coroner.

By Mr. Fite (Marion):

H. 1010. Relating to counties having a population of not less than twenty-seven thousand one hundred fifty nor more than twenty-eight thousand eight hundred inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a division of any such county into forest-protection districts; imposing extra, new and additional duties upon the president or chairman and members of the county governing body with respect to such districts, and providing additional compensation for the performance of such additional duties.

By Mr. Stokes:

H. 1017. Relating to counties which have populations of not less than 30,000 nor more than 33,500 inhabitants, according to the 1950 or any subsequent decennial census of the United States, and two courthouses; providing for the appointment of deputies or clerks in the offices of the tax assessor, tax collector, and circuit clerk of such counties and to provide for the payment of their compensation.

By Mr. Fite (Marion):

H. 1018. To propose and provide for the submission of or amendment to the Constitution of Alabama; to validate certain local acts relative to Marion County, Alabama.

The above Bill was read a second time at length as required by the Constitution.

By Mr. McCoy (with notice and proof):

H. 1019. To create and establish in Escambia County, Alabama, in lieu of the county court and the juvenile court, a court of record with



county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein.

By Mr. Bush (with notice and proof):

H. 1020. Relating to the Court of Common Pleas of Elmore County: To provide that the Judge of the Court of Common Pleas of Elmore County, Alabama, shall have power and authority to issue, hear and determine writs of habeas corpus, that the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be, provided by law, shall prevail in the Court of Common Pleas of Elmore County, that the Judge of the Court of Common Pleas of said County shall have the same power and authority relating to such writs as is now or hereafter may be conferred upon the Judges of the Circuit Court of Alabama, and that such power and authority shall extend to all cases where the Judges of the Circuit Courts of Alabama have authority to grant such writs.

By Mr. Coburn (with notice and proof):

H. 1021. To Amend Sections 1, 3, 4, 5, 6, 7, 10, 13, 14, 17, 19, 22, 23, 27, 31, 32, 34, 36 of an Act entitled, An Act "To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointments, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transactions of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," approved June 27, 1947.

By Mr. Coburn (with notice and proof):

H. 1023. To authorize the Colbert County Hospital Board to convey to Colbert County any portion of the real estate or interest therein owned by said hospital board which its board of directors may determine is not used for the purposes for which said board was organized.

By Messrs. Pfleger, Gallalee and Wilkins (with notice and proof):

H. 1024. To authorize the governing body of Mobile County, Alabama, to reimburse the Tax Collector of Mobile County, his agents or employees, to the extent of a sum not exceeding Six Hundred Dollars (\$600.00) per annum, for necessary automobile expenses incurred by use of private automobile in collecting or attempting to collect ad valorem taxes on personal property as shown by the current annual Abstract of Assessments on file in such office; to provide how and in what manner claim for such expenses shall be filed and paid, and when this act shall go into effect.

By Mr. Plott (with notice and proof):

H. 1025. To authorize and empower the circuit clerk of Chilton County, Alabama, to appoint a deputy clerk, and to fix the salary and to provide the method of payment of salary.

By Mr. Plott (with notice and proof):

H. 1026. To authorize the Sheriff of Chilton County, Alabama to appoint one special deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and to be paid out of the general funds of said County, and to require said deputy to give bond in the sum of \$2,000.00 payable to said sheriff with

conditions as required by Section 35, Title 41, 1940 Code of Alabama, and to repeal Local Act No. 324, approved September 2, 1935 and appearing in Local Acts 1935 on page 198.

By Mr. Thomason (with notice and proof):

H. 1027. To authorize the City of Anniston to sell, or to lease for a period not exceeding ninety-nine (99) years, a tract of land located at the southeast corner of Tenth Street and Leighton Avenue in said City and to provide how the sale or lease is to be made.

By Messrs. McNider and Mathews (with notice and proof):

H. 1029. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson, in Clarke County, Alabama.

By Messrs. Roberts and Russell:

H. 1032. To provide for a chief deputy sheriff and deputy sheriffs in all counties having a population of between 45,000 and 50,000 persons and to fix their compensation and to require payment of the same by the county governing body.

By Mr. Hankins (with notice and proof):

H. 1033. Relating to Lamar County; to fix the traveling expense allowance of the County Superintendent of Education.

By Messrs. Roberts and Russell (with notice and proof):

H. 1042. To authorize the governing body of Morgan County, Alabama to impose an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

By Messrs. Adams (Jefferson), Dumas, Beatty, Huey and Meeks:

H. 1043. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

By Messrs. Adams (Jefferson), Dumas, Beatty, Huey and Meeks:

H. 1044. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing witness fees for deputies sheriff subpoenaed in certain cases, and providing for the disposition thereof.

By Mr. Reynolds (Chambers), (with notice and proof):

H. 1045. To amend Section 2 of Act No. 29, H. 159, approved June 27, 1947 (Local Acts of Alabama, 1947, page 23), which provides for an additional deputy sheriff in Chambers County.

By Mr. Brannan (with notice and proof):

H. 1046. Relating to Baldwin County; providing that the judge of the circuit court of Baldwin County shall be, ex officio, judge of the juvenile court.

By Mr. Brannan (with notice and proof):

H. 1047. Relating to Baldwin County: to authorize the governing body of Baldwin County to levy an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Baldwin County;

providing for the assessment, collection and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

By Mr. Shelton:

H. 1052. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; fixing the salaries of the chairman and associate members of the civil service boards of such counties.

By Mr. Shelton:

H. 1053. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; authorizing the county governing body to pay the premiums on the official bonds of certain county employees.

By Mr. Brannan (with notice and proof):

H. 1015. To amend Section 2 of an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof, and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only during the term of office of the sheriff appointing such deputy, approved May 28, 1931, reported, Local Acts Alabama 1931, pages 83-84.

By Mr. Hawkins (DeKalb) (with notice and proof):

H. 1034. To allow the Sheriff of DeKalb County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Fund of DeKalb County in monthly installments.

By Mr. Hawkins (DeKalb) (with notice and proof):

H. 1005. To amend and extend the corporate limits of the city of Fort Payne, Alabama.

By Messrs. Leonard and Payne (with notice and proof):

H. 1004. To alter and rearrange the corporate limits of the City of Sylacauga in Talladega County, Alabama, by excluding from the corporate limits of said city certain territory, and also by extending the corporate limits of said City to include certain other territory.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Wood (with substitute):

H. 580. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last

or any subsequent federal census; authorizing and directing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Tumlin and Thomason (with amendment) (with notice and proof):

H. 700. Relating to the City of Anniston: To establish a Policemen's and Firemen's Retirement Fund; providing for the resources, management and administration of the Fund, including the payment into the fund by electric, gas, telephone, telegraph and bus transportation public utilities of a license tax equal to one-half of one per cent of the gross revenue of such utilities derived from services rendered within the corporate limits and police jurisdiction of the city; and for the transfer of all monies or property of any similar fund to it; creating a Board of Trustees of the Policemen's and Firemen's Retirement Fund and providing for its organization, powers, duties and functions; providing for the retirement of and payment of benefits to members of the police and fire departments and their dependents and survivors; providing for the payment of disability benefits to disabled members of the police and fire departments; providing for appeals from final decisions of the Board of Trustees; and repealing Act No. 365, H. 601, approved July 6, 1945 (General Acts of Alabama, 1945, p. 581) and all other conflicting laws.

By Mr. Edgar (with notice and proof) (with amendment):

H. 966. Relating to Choctaw County: To create and establish in Choctaw County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Choctaw County"; defining its jurisdiction; providing it with officers; defining their powers, duties, salary, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process, and the return of warrants thereto; abolishing the existing Inferior Court of Choctaw County and providing for the transfer and trial of cases pending in the abolished Inferior Court at the time this Act takes effect to the newly-created Inferior Court of Choctaw County.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Denton:

H. 1048. Relating to counties having populations of not less than 28,900 nor more than 29,200 inhabitants; authorizing and directing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

By Mr. Fant (with notice and proof):

S. 641. To repeal an Act passed by the Legislature of Alabama and approved on September 19th, 1949, (Act No. 576, General and Local Acts of Alabama, 1949, page 906) entitled, "An Act creating the office of County Engineer for Winston County, Alabama; prescribing his qualifications, term of office and salary."

Mr. Faulkner, Chairman of the Standing Committee on Education,

reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Edgar:

H. 965. Relating to the mode of cancelling teachers' contracts; amending Section 357, Title 52, Code of Alabama (1940).

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Miller and Hawkins (Etowah):

H. 921. Relating to cities having populations of not less than 50,000 nor more than 100,000 inhabitants; creating and establishing within such cities a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees of such cities.

By Messrs. Miller and Hawkins (Etowah) (with notice and proof):

H. 797. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

## RESOLUTIONS

The Rules Committee reported the following Senate Joint Resolution, to-wit:

S. J. R. 78. Resolved by the Senate, the House of Representatives concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 28, 1951; that when they adjourn on August 28, 1951 they adjourn to meet again on Thursday, August 30, 1951; that when they adjourn on August 30, 1951 they adjourn to meet again on Friday, August 31, 1951; and that when they adjourn on August 31, 1951, they adjourn to meet again on Thursday, September 6, 1951.

Which was adopted.

The Rules Committee also reported the following Senate Resolution, to-wit:

S. R. 79. BE IT RESOLVED BY THE SENATE, That the following bills in order listed be added at the foot of the Special Orders on the Calendar for the Thirty-second Legislative day:

Local bills and general bills of local application.

S. B. 635.....	page 51
S. B. 634.....	page 51
S. B. 452.....	page 43
S. B. 534.....	page 27
S. B. 651.....	page 59
S. B. 645.....	page 59
S. B. 642.....	page 59
S. B. 407.....	page 13
S. B. 569.....	page 23
S. B. 611.....	page 48
S. B. 465.....	page 21
H. B. 686.....	page 49
S. B. 456.....	page 43
S. B. 425.....	page 44

S. B. 614	page 58
S. B. 613	page 57
S. B. 491	page 46
S. B. 571	page 50
H. B. 207	page 42
H. B. 722	page 42
H. J. R. 92	no page
H. B. 247	page 42
H. B. 389	page 46
H. B. 811	page 62
H. B. 217	page 11
H. B. 534	page 34
H. B. 533	page 34
H. B. 532	page 34
H. B. 531	page 34
H. B. 535	page 34
H. B. 537	page 35
H. B. 536	page 35
H. B. 349	page 20
H. B. 602	page 38
H. B. 814	page 50
H. B. 416	page 52
H. B. 739	page 25
H. B. 733	page 48
H. B. 544	page 53
H. B. 546	page 54
H. B. 547	page 55
H. B. 111	page 50
H. B. 231	page 28
H. B. 734	page 47
H. B. 289	page 47
H. B. 317	page 49
H. B. 475	page 60
H. J. R. 110	no page
H. B. 48	page 51
H. B. 158	page 11
H. B. 701	page 55
H. B. 305	page 43
H. B. 343	page 25
H. B. 516	page 13
H. B. 273	page 55
H. B. 350	page 20
H. B. 2	page 39
H. B. 283	page 29
H. B. 272	page 29
H. B. 271	page 29
H. B. 187	page 11
H. B. 188	page 12
H. B. 864	page 39
H. B. 388	page 37
H. B. 77	page 63

Which was adopted.

Mr. Clayton offered the following Senate Joint Resolution, to-wit:

S. J. R. 80. BE IT RESOLVED by the Senate the House concurring that House Bills 92, 93 and 94 be known as the Givhan, Summerlin, Kendall, Solomon, Langdon, Thagard, Smith, Fant, High, Phillips and Clayton bills.

Which was adopted.

Mr. Phillips offered the following Senate Joint Resolution, to-wit:

S. J. R. 81. Be It Resolved By The Legislature of Alabama, Both Houses Thereof Concurring, That

The Secretary of the Senate is hereby authorized, directed, and required to cause to be installed in or for the Senate's Chamber such additional or different air-conditioning equipment as may be necessary to provide an adequate cooling system.

Be it resolved further, That all expenses incurred in carrying out the provisions hereof shall be paid out of funds appropriated for the use of the Legislature.

Which was read and referred to the Standing Committee on Rules.

### BILLS ON THIRD READING

The Bill:

S. 645. To amend Section 363 of Title 37 of the Code of Alabama of 1940 so as to enlarge the powers of cities and towns with respect to water-works plants and systems.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 26; Nays 0.

Yeas:

Messrs :	Faulkner	Locke (Choctaw)	Robison	
Andrews	Golson	McCary	Smith	
Boutwell	High	Norrell	Sollie	
Byars	Hollis	Phillips	Thagard	
Clayton	Johnson (Chambers)	Pinson	Whatley	
Fant	Jones	Reneau	Wright	
Farmer	Larkins	Richardson		—26

Nays:

—0

The Bill:

H. 951. Relating to the assessment of taxes; amending Sections 39, 40, 41, 42, and 43 of Title 51, Code of Alabama (1940).

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Golson	McCary	Skidmore	
Andrews	High	Norrell	Smith	
Byars	Hollis	Phillips	Sollie	
Clayton	Johnson (Chambers)	Pinson	Thagard	
Eddins	Jones	Quarles	Todd	
Farmer	Larkins	Reneau	Whatley	
Faulkner	Locke (Choctaw)	Richardson	Wright	
Foster	Locke (Perry)	Robison		—30

Nays:

—0

### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Locke (Choctaw), further consideration of the Bill, S. B. 559, was indefinitely postponed by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 93. Relating to taxation: To exempt feedstuffs from the State's sales and use taxes.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Russell:

H. J. R. 116. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 28, 1951, and when they adjourn on Tuesday, August 28, they adjourn to meet again on Thursday, August 30, 1951, and when they adjourn on Thursday, August 30, 1951, they adjourn to meet again on Friday, August 31, 1951, and when they adjourn on Friday, August 31, 1951, they adjourn to meet again on Thursday, September 6, 1951.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Boutwell, the Resolution, H. J. R. 116, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Boutwell:

SENATE JOINT RESOLUTION NO. 77. Relative to the naming of House Bill 569 "The Hall, Adams (Dale), Clayton, Reneau, Farmer and Faulkner Bill".

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 512. Relating to cities having a population of not less than twenty-nine thousand nor more than forty-five thousand inhabitants according to the preliminary count of the 1950 federal census or any subsequent decennial census of the population of the United States; providing for



the allocation of the duties of the chairman and members of the city commission of such cities, and providing for their compensation.

Also:

H. 413. To amend Section 380 of Title 13 of the Code of Alabama (1940), which relates to the appointment of clerks in juvenile courts.

Also:

H. 573. To amend Section 457, Title 51, Code of Alabama (1940), which relates to privilege license taxes on persons engaged in the business of selling or installing air-conditioning plants and equipment.

Also:

H. 569. To exempt from taxation the recordation of all mortgages, deeds of trust, and other instruments of like character executed to secure loans made by any corporation or association authorized by Subchapter IV of Chapter 7, Title 12, United States Code Annotated, to make loans to its members for general agricultural purposes.

Also:

H. J. R. 115. Relative to naming Senate Bill 496.

Also:

H. 93. Relating to taxation: To exempt feedstuffs from the State's sales and use taxes.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the bill:

S. 494. To amend Section 714, Title 51, Code of Alabama 1940, which relates to the fees of probate judges for issuing licenses for operating motor vehicles.

The Speaker of the House has appointed as Conferees on the part of the House Messrs. Romine, Harrison (Shelby) and Dodd.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 385, said Governor's message being in words and figures as follows, to-wit:

## MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 385, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 24, 1951.

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 385, with the following suggested executive amendment:

Amend the body of the bill by substituting therefor the following:

"Section 1. That Section 785 of Title 51, Code of Alabama 1940, be, and the same is hereby, amended to read as follows: 'Section 785. DISCOUNTS.—The governor may, by executive order, authorize the department to provide by proper rules and regulations, for the allowance of a discount, not to exceed 5% of the first one hundred dollars of taxes levied and 2% of the taxes levied over one hundred dollars by this article and due and payable to the state by any person licensed under the provisions hereof. Provided, however, that no discount shall be authorized or allowed upon any taxes which are not paid before delinquency, as in this article provided.'

"Section 2. This Act shall become effective on October 1, 1951."

The suggested amendment is made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objection to the bill.

Respectfully,

GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 385, by a vote of Yeas 55, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 385. To amend Section 785, Title 51, Code of Alabama (1940), which relates to the discount allowed for collection of sales taxes.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 60, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Clayton the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 385, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Foster	Locke (Choctaw)	Richardson
Andrews	Golson	Locke (Perry)	Robison
Boutwell	High	McCary	Skidmore
Byars	Hollis	Norrell	Smith
Clayton	Johnson (Chambers)	Phillips	Thagard
Farmer	Jones	Pinson	Todd
Faulkner	Larkins	Reneau	Wright

—27

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison
Andrews	Faulkner	Locke (Perry)	Skidmore
Boutwell	Foster	McCary	Smith
Byars	Hollis	Norrell	Thagard
Clayton	Johnson (Chambers)	Phillips	Todd
Eddins	Jones	Reneau	Whatley
Fant	Larkins	Richardson	Wright

—27

Nays:

—0

Which was a majority of the whole number elected to the Senate.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 442. Relating to taxation: To exempt from the computation of the amount of the sales tax levied by Section 753, Title 51, Code of Alabama (1940), the gross proceeds of sales of peanuts, peanut products, candy and chewing gum sold in dispensing machines located in industrial plants or on private property, for employees where such machines dispense exclusively articles not exceeding ten cents (10c) per sale, provided that the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale.

was taken up.

Mr. Johnson (Chambers) offered the following substitute for the Bill, to-wit:

## SUBSTITUTE FOR H. B. 442

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to taxation: To exempt from the computation of the amount of the sales tax levied by Section 753, Title 51, Code of Alabama (1940), the gross proceeds of sales of peanuts, peanut products, candy, chewing gum, milk, ice cream or soft drinks sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not exceeding ten cents (10c) per sale, provided that the person operating such machines shall be engaged in the business of selling the articles enumerated above at a price not to exceed ten cents (10c) per sale.

Be It Enacted by the Legislature of Alabama:

Section 1. The sales tax levied by Section 753, Title 51, Code of Alabama (1940), as amended, shall not be due or collected on account of the gross proceeds of sales of peanuts, peanut products, candy, chewing gum, milk, ice cream or soft drinks sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10c) per sale, provided that the person operating such machines shall be engaged in the business of selling the articles enumerated above at a price not to exceed ten cents (10c) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the State Department of Revenue.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Skidmore, said substitute was laid on the table.

Yeas 26; Nays 5.

Yeas:

Messrs.:	Fant	Jones	Richardson	
Andrews	Farmer	Larkins	Robison	
Bonner	Faulkner	Locke (Choctaw)	Skidmore	
Boutwell	Foster	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Johnston (Mobile)	Quarles		—26

Nays:

Messrs.:	Johnson (Chambers)	Smith	Whatley	
Golson	Locke (Perry)			—5

And said Bill was then read a third time at length and passed.

Yeas 25; Nays 6.

Yeas:

Messrs.:	Farmer	Larkins	Skidmore	
Andrews	Faulkner	Locke (Choctaw)	Smith	
Bonner	Foster	McCary	Sollie	
Boutwell	High	Pinson	Thagard	
Byars	Hollis	Quarles	Todd	
Eddins	Johnston (Mobile)	Richardson	Wright	
Fant	Jones			—25

Nays:

Messrs.:  
Clayton

Golson  
Johnson (Chambers)

Locke (Perry)  
Robison

Whatley

—6

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Messrs. Brown, Dumas, Engelhardt, Martin, Merrill, Morgan (Tuscaloosa), and Oakley:

House Joint Resolution No. 117. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1. That there shall be a committee composed of the Governor's Legal Adviser, the Commissioner of Revenue, the State Budget Officer, the Secretary of the Legislative Council of Alabama, and not more than five representatives from business and labor, commerce and industry, agriculture, and local government, to be selected by such interests, or organizations or groups representing such interests, subject to the approval of the Legislative Council, at the next regular meeting thereof.

The Committee is hereby authorized and directed—

a) To study the State's system of taxing corporations and suggest revisions necessary to remove inequalities in the comparative burdens of Alabama taxes among domestic and foreign corporations.

b) To study ad valorem taxation in this State with a view to answering the question, "Should the State government repeal its levies on property?"

c) To study special privilege licensing by the State and local governments and make suggestions for improvements in the system of general business taxes.

2. The committee shall hold such hearings and make such investigations as it deems necessary to the proper discharge of its function. Each State and county department, office, and agency is authorized and directed to furnish to the committee such data, statistics, and information within its possession as the committee may request. The committee shall make a final report of its activities and findings to the Legislative Council of Alabama not later than January 1, 1953.

3. The Legislative Council of Alabama shall meet during the month of January, 1953, and hold hearings on the report made by the committee, following which the Council shall make recommendations to the Legislature, in the form of bills or otherwise, for any legislation it deems necessary or appropriate in the premises.

4. Expenses incurred by the committee or the Council in carrying out the purposes hereof may be paid out of any funds appropriated to the use of the Council or the Legislative Reference Service; provided, that no member of the Committee shall be entitled to compensation. The Secretary of the Legislative Council shall be chairman of the committee provided for herein.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Thagard, the Rules were suspended and the Resolution, H. J. R. 117, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Messrs. Dumas, Engelhardt, Oakley, Martin, Merrill and Morgan (Tuscaloosa):

HOUSE JOINT RESOLUTION NO. 121. WHEREAS, at present employees of state and local governments who are covered by or eligible to be covered by a retirement system are not eligible to be covered under the old-age and survivors insurance provisions of the federal Social Security Act, and

WHEREAS, the Legislature feels that such employees should be eligible for coverage under the Social Security Act, now therefor

Be It Resolved by the House of Representatives of Alabama, the Senate Concurring:

1. The Congress of the United States is hereby memorialized and requested to amend the Social Security Act so as to permit but not require coverage under the old-age and survivors insurance provisions thereof of employees of state and local governments who are presently covered or eligible to be covered by a retirement system.

2. The Clerk of the House is directed to transmit copies of this Resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Alabama Congressional delegation.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Boutwell, the Rules were suspended and the Resolution, H. J. R. 121, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

## REPORT OF COMMITTEE ON CONFERENCE

To the President of the Senate:

To the Speaker of the House:

We, your conferees appointed to reconcile the difference between the two Houses on the House Amendment to Senate Bill 494 recommend that the Senate concur in the House Amendment to the Bill.

ALBERT BOUTWELL,  
GRAHAM WRIGHT,  
PRESTON CLAYTON,  
Conferees on part of the Senate

HENRY ROMINE  
KARL A. HARRISON,  
BEN G. DODD,  
Conferees on part of the House.

## CONFERENCE REPORT

On motion of Mr. Boutwell, the Senate concurred in and adopted the foregoing report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

S. B. 494. To amend Section 714, Title 51, Code of Alabama 1940, which relates to the fees of probate judges for issuing licenses for operating motor vehicles.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foster	Locke (Perry)	Robison	
Andrews	High	McCary	Skidmore	
Bonner	Johnson (Chambers)	Norrell	Smith	
Boutwell	Johnston (Mobile)	Phillips	Sollie	
Byars	Jones	Quarles	Thagard	
Clayton	Larkins	Reneau	Whatley	
Eddins	Locke (Choctaw)	Richardson	Wright	
Farmer				—28

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Clayton:

S. J. R. 80. Relating to the naming of House Bills 92, 93 and 94 the Givhan, Summerlin, Kendall, Solomon, Langdon, Thagard, Smith, Fant, High, Phillips and Clayton bills.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Thomason and Tumlin:

H. 1058. To amend Section 363 of Title 37 of the Code of Alabama of 1940 so as to enlarge the powers of cities and towns with respect to waterworks plants and systems.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1058—To the Committee on Municipalities and Municipal Organizations.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 92. Relating to taxation: To exempt insecticides from the State's sales and use taxes.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE AMENDMENT TO HOUSE  
BILL NO. 92:

Amend House Bill No. 92, Section 4, by striking therefrom the word and figure "April 1," and inserting in lieu thereof the word and figure "June 30".

Which was adopted.

Yeas 24; Nays 0.

*Yeas:*

Messrs.:	Faulkner	McCary	Skidmore	
Boutwell	Foster	Norrell	Smith	
Byars	High	Pinson	Sollie	
Clayton	Hollis	Quarles	Thagard	
Eddins	Johnston ( <i>Mobile</i> )	Reneau	Whatley	
Fant	Larkins	Richardson	Wright	
Farmer				—24

*Nays:* —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Locke ( <i>Perry</i> )	Richardson	
Boutwell	Foster	McCary	Skidmore	
Byars	High	Norrell	Smith	
Clayton	Hollis	Pinson	Sollie	
Eddins	Johnson ( <i>Chambers</i> )	Quarles	Thagard	
Fant	Johnston ( <i>Mobile</i> )	Reneau	Whatley	
Farmer	Larkins			—25

*Nays:* —0

The Bill:

H. 94. Relating to taxation: To exempt fungicides from the State's sales and use taxes.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE AMENDMENT TO HOUSE  
BILL NO. 94:

Amend House Bill No. 94, Section 4, by striking therefrom the word



and figure "April 1," and inserting in lieu thereof the word and figure "June 30".

Which was adopted.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Boutwell	Foster	Locke (Perry)	Skidmore
Byars	High	McCary	Smith
Clayton	Hollis	Norrell	Sollie
Eddins	Johnson (Chambers)	Pinson	Wright
Fant	Johnston (Mobile)	Quarles	—26

Nay: Mr. Golson —1

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	Foster	Locke (Perry)	Skidmore
Boutwell	Golson	McCary	Smith
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Pinson	Thagard
Eddins	Johnston (Mobile)	Reneau	Whatley
Fant	Larkins	Richardson	Wright
Farmer			—28

Nays: —0

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolutions with the original Senate Joint Resolutions and find same correctly enrolled, to-wit:

S. J. R. 75. Relative to: Designating a dormitory for men athletic students of the University of Alabama as "The V. Hugo Friedman Hall".

Also:

S. J. R. 77. Relative to: Naming of House Bill 569.

HERBERT B. BYARS,  
Chairman.

## SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 582. To amend Section 46, Title 8 of the 1940 Code of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 24; Nays 3.

Yeas:

Messrs.:	Faulkner	Jones	Phillips
Andrews	Foster	Larkins	Pinson
Bonner	High	Locke (Choctaw)	Richardson
Boutwell	Hollis	Locke (Perry)	Skidmore
Clayton	Johnson (Chambers)	McCary	Sollie
Eddins	Johnston (Mobile)	Norrell	Thagard
Fant			

—24

Nays: Messrs.: Golson, Reneau and Robison

—3

The Bill:

S. 158. To amend Section 91 of Title 8, Code of Alabama (1940), which relates to licenses to capture and kill fur-bearing animals.

was taken up.

The Standing Committee on Fish and Game reported the following amendment to the Bill, to-wit:

Amend Senate Bill 158 by adding the word fox after the word raccoon in line 21 of said bill.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Faulkner	Larkins	Richardson
Andrews	Foster	Locke (Choctaw)	Robison
Bonner	Golson	Locke (Perry)	Skidmore
Boutwell	High	McCary	Sollie
Byars	Hollis	Norrell	Thagard
Clayton	Johnson (Chambers)	Phillips	Whatley
Eddins	Johnston (Mobile)	Reneau	Wright
Fant	Jones		

—29

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Reneau
Andrews	Faulkner	Jones	Robison
Bonner	Foster	Larkins	Skidmore
Boutwell	Golson	Locke (Choctaw)	Sollie
Byars	High	Locke (Perry)	Thagard
Clayton	Hollis	McCary	Whatley
Eddins	Johnson (Chambers)	Norrell	Wright

—27

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Dumas, Adams (Jefferson), Kaul, Beatty, Huey and Morgan (Jefferson):

H. 1067. To amend Section 81 of Title 61 of the Code of Alabama of 1940, as heretofore amended by General Act 356 of the Legislature of Alabama of 1945 (General Acts of Alabama of 1945, p. 574), insofar as such section, as amended, applies in counties having a population of four hundred thousand (400,000), or more according to the last or any subsequent Federal census.

Also:

By Messrs. Beatty, Dumas, Adams (Jefferson), Morgan (Jefferson) and Huey:

H. 1066. To prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards, and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances.

Also:

By Messrs. Beatty, Huey, Adams (Jefferson) and Morgan (Jefferson):

H. 1065. To provide for, regulate, control and prohibit the ownership, use, operation and maintenance of passenger automobiles by all cities in this State having a population of 250,000 persons or more, according to the last or any subsequent Federal census; to provide the terms and conditions under which officers, deputies, agents and employees of such cities may be provided with such automobiles by such cities, or may use the same and the storage thereof; to authorize the governing body of such city to provide by resolution a monetary allowance not to exceed the sum of \$50.00 monthly to be made to any of the members of such governing body for their own account or the use of an automobile owned or controlled by a member of such governing body, in the event such automobile is used by such member of such governing body primarily or entirely in connection with the performance of his official duties as a member of such governing body; to generally provide for the use, operation, maintenance, identification and general control of such automobiles so as to prevent fraud and imposition on such cities by those using the same, as well as others, and to provide the punishment for the violation hereof.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1067, 1066 and 1065—To the Committee on Local Legislation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 587. Relating to Talladega County: To abolish the Court of County Commissioners of Talladega County and create in lieu thereof the Board of Revenue of Talladega County; providing for its organization and for the election, term, compensation, expenses, powers and duties of its chairman and associate members; providing for county purchases by the Board; and making the Act operative upon its approval by a majority of the voters of Talladega County voting in a referendum.

Also:

S. 592. Relating to Cherokee County; providing for the payment by the county of the compensation of the Chief Clerk in the office of the Judge of Probate.

Also:

S. 593. To authorize each of the municipalities of the State having a population of not less than thirteen thousand nor more than sixteen thousand three hundred inhabitants to acquire by purchase any hospital and, as all or a part of the purchase price, to assume any indebtedness on such hospital and to agree to postpone the maturity date thereof and pay interest thereon or issue its bonds, revenue bonds, warrants, or notes, in order to secure funds to pay the purchase price thereof or at the time of purchase or later to finance extensions and improvements thereto and to provide for covenants and obligations in favor of the holders of such bonds, revenue bonds, warrants or notes; and to permit each such municipality to create a Board of Hospital Managers, as a self perpetuating body, to which such municipality may irrevocably delegate all powers, authority, functions and duties with respect to the management, operation and control of such hospital, and to provide for the election of the members of such board, the confirmation and removal of such members, the officers of the board, the compensation of members and officers of the board, the bylaws, powers, functions and duties of such board, and to limit the liability of the members of such board.

Also:

S. 595. To ratify, validate and confirm all payments of mileage and salary heretofore made by the Court of County Commissioners of Elmore County to J. W. Holt as Deputy Sheriff of Elmore County under the provisions of Act No. 69, approved May 20, 1935 (Local Acts of 1935, page 7), as amended by Act No. 282, approved August 25, 1939 (Local Acts of 1939, page 177), and as further amended by Act No. 38, approved June 2, 1949 (Local Acts of 1949, page 62); and to provide that such payments to said deputy sheriff shall be deemed to be valid regardless of whether the said J. W. Holt resided at Tallassee, Alabama during the period of time when he received such payments.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Faulk:

H. 1054. To prescribe the manner of fixing the salary of the chief

deputy sheriff of Geneva County, Alabama, the maximum and minimum thereof and the manner of payment of the same.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that a Bill will be introduced at the present session of the Legislature substantially as follows:

#### AN ACT

To prescribe the manner of fixing the salary of the Chief Deputy Sheriff of Geneva County, Alabama, the maximum and minimum thereof and the manner of payment of the same.

Be It Enacted by the Legislature of Alabama:

Section 1: The salary of the Chief Deputy Sheriff of Geneva County, Alabama shall be such amount as fixed by the Court of County Commissioners or other governing body of the County, not less than \$3,000.00 and not more than \$4,200.00 per annum, payable in twelve equal monthly installments, out of the treasury of the County upon the warrant of the Court of County Commissioners or other governing body of the County.

Section 2: That all laws and parts of laws in conflict herewith are hereby expressly repealed and this act shall be of force and effect on and after the approval of the Governor.

R. R. FAULK,  
Member of Legislature,  
Geneva County, Ala.

40-4tc

#### CERTIFICATE OF PUBLICATION

STATE OF ALABAMA  
GENEVA COUNTY

Orsen B. Spivey Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala., \* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of 4 consecutive weeks, commencing July 19, 1951, and ending Aug. 9, 1951, WITNESS my hand this 13 day of August, 1951.

/S/ ORSEN B. SPIVEY

Sworn to and subscribed before me this 13 day of August, 1951.

Also: /S/ WILLIAM J. HOLLEY,  
Notary Public.

By Mr. Garrett:

H. 1057. To authorize the Governing Body of Monroe County, Alabama, to transfer any road and bridge funds that are levied and collected within the county to the general fund of the county at any meeting of said county governing body in any calendar year.

With notice and proof thereto attached and herewith exhibited as follows:

#### PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA  
MONROE COUNTY

Before me, Alice F. Lee, a Notary Public in and for said County in said State personally appeared Bill Stewart, who is known to me, and who, being duly sworn, deposes and says:

That he is editor of The Monroe Journal, a newspaper published weekly at Monroeville, in Monroe County, Alabama, and that the following notice, to-wit

#### LEGAL NOTICE

Notice is hereby given that at the current session of the Legislature of Alabama, which convened in May, 1951, a bill will be introduced and application for its passage and enactment will be made, which will be in substance as follows, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize the Governing Body of Monroe County, Alabama, to transfer any road and bridge funds that are levied and collected within the county to the general fund of the county at any meeting of said county governing body in any calendar year.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Governing Body of Monroe County Alabama, is hereby authorized and empowered to transfer any road and bridge funds that are levied and collected within the county to the general fund of the county at any meeting of said county governing body in any calendar year.

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 3. That this Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

29-4tc

was published in said newspaper once a week for 4 successive weeks, said notice appearing in the following issues: July 19, 1951, to Aug. 9, 1951, inclusive.

BILL STEWART.

Sworn to and subscribed before me this 14th day of August, 1951.

Also: ALICE F. LEE,  
Notary Public, Monroe County, Ala.

By Mr. White (Covington):

H. 1059. To authorize the circuit clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant; to provide a salary for such assistant; and to repeal Act No. 57, approved May 28, 1943, as amended by Act No. 24, approved by the Governor on May 25, 1945, which authorizes the clerk to employ a secretarial assistant and fixing such assistant's salary.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICES NOTICE OF LOCAL LAW

Application will be made to the Legislature of Alabama now in session for the passage of a local law as follows:

#### A BILL TO BE ENTITLED AN ACT

To Authorize the Circuit Clerk of Covington County, Alabama, to

employ and to prescribe the Duties of a Secretarial Assistant; to provide a salary for such Assistant; and to Repeal Act No. 57, approved May 28, 1943, as amended by Act No. 24, approved by the Governor on May 25, 1945, which authorizes the Clerk to employ a Secretarial Assistant and fixing such Assistant's salary.

Be It Enacted by the Legislature of Alabama:

Section 1: The Circuit Clerk of Covington County, Alabama, is hereby authorized to employ a secretarial assistant, at a monthly salary to be fixed by the Board of Revenue, but not to exceed \$150.00 monthly.

Section 2: The salary of the assistant authorized in the preceding section shall be paid monthly to the Assistant out of the general funds of Covington county by lawful warrant drawn in the manner provided for the issuance of other warrants, which shall be paid by the county Treasurer, or other like officer who is custodian of such funds.

Section 3: The assistant shall perform administrative and clerical duties in the office of the Circuit Clerk at his direction and under his supervision, and shall serve at the pleasure of the Clerk.

Section 4: Local Act Number 57, approved by the Governor on May 28, 1943, as amended by Act Number 24, Approved May 25, 1945 by the Governor, authorizing the employment of a Secretarial Assistant be and the same is hereby repealed upon the effective date of this act.

12July4tch.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: July 12-19-26 Aug. 2-1951.

This the 3rd day of August, 1951.

ED DANNELLY.

Sworn to and subscribed before me this 3rd day of August, 1951.

LORA JONES,  
Notary Public.

Also:

By Messrs. Wilkins, Pflieger and Gallalee:

H. 1069. To amend Section Three of Act 415, Local Acts of Alabama, 1947, page 265 et seq approved September 25, 1947 applying in Mobile County, Alabama, and requiring the payment to Mobile County, in addition to all other licenses and taxes required by law, of a license tax equal to one-sixth of one cent on each fluid ounce or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, stored or taken out of storage within such county.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that a local Bill will be offered for introduction and passage at the present 1951 Session of the Legislature of Alabama, providing in substance as follows; viz:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section Three of Act 415, Local Acts of Alabama, 1947, Page 265 et seq approved September 25, 1947 applying in Mobile County, Alabama, and requiring the payment to Mobile County, in addition to all other licenses and taxes required by law, of a license tax equal to one-sixth of one cent on each fluid ounce or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, stored or taken out of storage within such county.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section Three of Act No. 415 of Local Acts of Alabama 1947, Page 265 et seq. approved September 25, 1947 shall be amended and the same is hereby amended to read as follows, viz: "Section Three (a) Every distributor or seller of malt or brewed beverages shall, in addition to all other taxes and licenses now imposed by law, pay a license tax to Mobile County, and a license tax is hereby fixed and created which shall be a sum and amount equal to one-sixth of one cent on each fluid ounce or fractional part thereof of malt or brewed beverages sold, distributed, delivered, stored, or taken out of storage within the county; provided, however, that where the additional license tax hereby required to be paid shall have been paid by a distributor or seller of malt or brewed beverages, such payment shall be sufficient, the intent being that such license tax hereby required to be paid but once on the same identical beverage; provided further, however, that any distributor or seller, in order to be exempt under this provision, shall first comply with the provisions of sub-section (b) of this section. (b) Any distributor or seller of malt or brewed beverages, selling, distributing, delivering, storing, or taking out of storage malt or brewed beverages purchased from any other distributor or seller of malt or brewed beverages who has paid the license tax thereon as fixed in subsection (a) of this section shall not be required to pay such license; provided, however, that in order to obtain such exemption such distributor or seller claiming such exemption must, on or before the 15th day of the first full month after the effective date hereof, and on or before the 15th day of each and every calendar month thereafter, file with the License Commissioner of the county, a written statement, sworn to and subscribed by such distributor or seller, claiming exemption, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding together with the name and address of the distributor, seller, or other person from whom purchased, received, or procured, and the brand of such malt or brewed beverages, the quantity of each brand of such malt or brewed beverages, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, and the disposition thereof by such distributor or seller claiming the exemption; such statement to be made in form prescribed by the License Inspector. (c) Each and every distributor or seller of malt or brewed beverages except such as claim and obtain exemption under the provisions of subdivision (b) of this section, shall, on or before the 15th day of the first full month after the effective date hereof, and on or before the 15th day of each and every month thereafter, file with the License Commissioner and License Inspector of the county, on forms prescribed by the License Inspector, a written statement, sworn to and subscribed by such distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the distributor, seller or other person from whom purchased, received, or procured, the brand of



such malt or brewed beverages, the quantity of each band of such malt or brewed beverages, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received, or procured; and which also shall contain a detailed, itemized statement showing the name and address of each and every distributor, or seller, or other person, to whom any malt or brewed beverages are sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages, sold, distributed or delivered to each, the size and kind of containers of each brand of such malt or brewed beverages, and the date or dates on which sold, distributed or delivered; and any distributor or seller failing, refusing, or omitting to file such statement as herein prescribed shall be guilty of a misdemeanor, and each day that such default continues shall constitute a separate offense. (d) The license herein fixed and prescribed in subsection (a) of this section shall and must be paid by each person against whom the same is levied, or who is liable or subject to such license under the provisions hereof, on or before the 15th day of each calendar month, at the time of filing the statement required by subsection (c) of this section, which license shall be based on the sale, distribution, delivery, storage and taking out of storage, of malt or brewed beverages, during the calendar month next preceding; and any person failing, refusing, or omitting to pay such license within the time herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense, and in addition to the other penalties herein provided for, there shall be added to such license tax a penalty of twenty percentum of the amount thereof for such delinquency, said penalty to be paid to the License Inspector, and by him paid into the treasury of the county for use as hereinafter set out.

Section 2. This act shall become effective October 1, 1951.

Press, July 24, 31; Aug. 7, 14

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and that the attached notice appeared in the issues of The Mobile Press, July 24, 31, Aug. 7, 14th 1951

W. M. CURRAN.

Sworn to and subscribed before me This 14th day of Aug. 1951

ALVIN A. JOHNSON,  
Notary Public.

Also:

By Messrs. Gallalee, Wilkins and Pflieger:

H. 1070. To further regulate and define the powers, functions, duties and authority of the Chairman and members of the Board of Revenue and Road Commissioners of Mobile County, Alabama; to impose extra, new and additional duties upon the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama; to provide additional compensation for the members of said Board for the performance of such extra, new and additional duties hereby imposed upon them and to provide for the payment of such additional compensation.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that a local bill for Mobile County, in substance as follows, will be offered for introduction and passage at the present 1951 Session of the Legislature of Alabama.

A BILL  
TO BE ENTITLED  
AN ACT

To further regulate and define the powers, functions, duties and authority of the Chairman and members of the Board of Revenue and Road Commissioners of Mobile County, Alabama; to impose extra, new and additional duties upon the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama; to provide additional compensation for the members of said Board for the performance of such extra, new and additional duties hereby imposed upon them and to provide for the payment of such additional compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this Act and in addition to the performance of all of the duties, functions, powers or authority now imposed upon them by law, either general, local or special, the Chairman and members of the Board of Revenue and Road Commissioners of Mobile County, Alabama, shall perform the following extra, new and additional duties:

(a) The Chairman or one other member of said Board shall be present at the offices of said Board at the Courthouse in Mobile County at all times during the normal work hours of each duty day, except at such times, when the members of said Board, as a body or group, may be required elsewhere than at the office or meeting place of said Board.

(b) The members of said Board shall meet in regular meeting or session at the Courthouse on the second and fourth Tuesday of each month of each year, and the presence of three members at any regular or special meeting shall constitute a quorum for the transaction of business. Should any such Tuesday be a legal holiday, then such regular meeting or session of said Board shall be held on the next following legal day. A special meeting or session of the Board of Revenue and Road Commissioners of Mobile County, Alabama, may be held at the Courthouse at any time with the approval and consent of all members of said Board in writing specifying the purpose or purposes for which such special meeting is held, which said agreement in writing of the members for such special meeting shall be spread upon and made a part of the minutes of such special meeting.

(c) The members of said Board shall hold a public conference weekly at the offices of said Board on a day and at a time to be fixed by said Board to discuss and plan appropriate action on the pending business of the County on an agenda which said Board shall require its Clerk or like officer to prepare therefor under direction of its Chairman; to receive appeals from and hear petitions and complaints of citizens of the County or persons desiring action of such Board on public matters in order to better and regularly advise themselves of the public business and affairs of the County, as well as the manner in which the business and affairs of the County are being conducted and to thereby enable said Board and the members thereof to more carefully and properly act on such matters at the next following or any subsequent meeting or session of said Board. Unless the day and time of each such weekly conference be otherwise fixed by said Board from time to time while in regular session, said weekly conference shall be held on Monday of each week beginning at 12 o'clock noon; should any given Monday be a legal holiday or for any other lawful reason it be impossible to hold such conference on such day, then the same shall be held on the next following legal day at the same time. No

such conference shall however be required to be held in any week in which a regular meeting of said Board is scheduled and held.

Section 2. For the performance of the new and additional duties hereinabove imposed as set forth in Section 1 of this Act, the Chairman and each member of the Board of Revenue and Road commissioners of Mobile County shall each receive as compensation therefor the sum of \$600.00 annually, such compensation to be paid in equal monthly installments from the general funds of Mobile County and such compensation shall be in addition to any and all compensation now and heretofore paid each of said members.

Section 3. This Act shall not repeal any existing Act, general, local or special, but shall be in addition to all other laws of whatsoever nature now in force, and should any paragraph, sentence, phrase or word of this Act be held unconstitutional, such holding shall not affect the remainder hereof.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Reg. July 25; Aug. 1, 8, 15

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register July 25, Aug. 1, 8, 15th 1951

W. M. CURRAN.

Sworn to and subscribed before me This 15th day of Aug. 1951.

ALVIN A. JOHNSON,  
Notary Public.

Also:

By Mr. Oden:

H. 1063. To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members; to repeal all acts heretofore enacted relative to the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF FRANKLIN

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members, to repeal all acts heretofore enacted relative to

the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Court of County Revenues of Franklin County as the same now exists is hereby abolished. In lieu of the Court hereby abolished, there is hereby established and created a Board of Revenue of Franklin County, Alabama, which shall be composed of five members.

Section 2. The probate judge of Franklin County shall be chairman of and ex officio member of the Board; he shall serve as such without additional compensation. At the general election held in November, 1952, there shall be elected four members of the Board of Revenue of Franklin County, Alabama. One of said members shall be nominated in the primary held prior to the November general election by the qualified electors of each of the four commissioners districts of Franklin County as they are now constituted. Such members so nominated shall be qualified electors of Franklin County, and shall be electors of and reside in the district from which he or she is nominated.

Section 3. The incumbent commissioners representing the four commissioners districts shall continue to serve and represent their respective districts as members of the Board of Revenue until the first Monday after the second Tuesday in January, 1953, or until their successors are elected and qualified; each shall receive a monthly salary of two hundred dollars, to be paid out of the general fund of the county. Those persons elected in the general election in 1952 as members of the Board of Revenue of Franklin County, and who take office on the first Monday after the second Tuesday in January, 1953, shall hold office for a term of four years and until their successors are elected and qualified.

Section 4. Except as herein otherwise provided, the members of the Board of Revenue of Franklin County shall receive as their entire compensation for the services performed as such members ten dollars per day for each day's attendance upon a meeting of the board, but not in excess of forty dollars per member per month, payable out of the general fund of Franklin County, Alabama.

Section 5. Except as otherwise provided herein, the Board of Revenue of Franklin County shall have the same powers and jurisdiction, and shall perform the same duties which are now or may hereafter be conferred or imposed upon boards of revenue, courts of county commissioners or other like county governing bodies by the general laws of the State of Alabama. Provided, however, the members of the Board of Revenue of Franklin County, under the provisions of this Act, shall have no control, management, or supervision of the county roads and bridges of said county, and shall not have supervision over any road and bridge funds. All road and bridge funds and monies shall be handled under the provisions of Act No. 143-S356 approved July 2nd, 1951.

Section 6. The chairman of the Board shall be the presiding officer of the board and shall have the same power and authority as other members in passing upon any and all questions which come before the board.

Section 7. Should any sentence, paragraph section, or clause of this Act be declared unconstitutional by any court of competent jurisdiction, then such action by said court shall not affect the other provisions of this Act which are otherwise constitutional.

Section 8. That all laws, general, local and special having to do with the county governing body of Franklin County are hereby repealed, and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203, and any and all other acts which may be in conflict herewith.

Section 9. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

7 19 4tc

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. C. Giles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, August 2, and August 9, all in the year 1951.

M. C. GILES.

Sworn to and subscribed before me August 11, 1951.

J. B. WEATHERFORD,  
Notary Public.

My Commission Expires Feb. 16, 1952.

Also:

By Messrs. Reynolds (Chambers) and McClendon:

H. 1074. To amend Local Act No. 271, Local Acts 1915, page 132, entitled "To divide the County of Chambers into four commissioners districts, and to provide for the election of a commissioner for each district," approved August 27, 1915; and making the Act operative upon its approval by a majority of the voters of Chambers County voting in a referendum.

With notice and proof thereto attached and herewith exhibited as follows:

## NOTICE

STATE OF ALABAMA  
COUNTY OF CHAMBERS

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Local Act No. 271, Local Acts 1915, page 132, entitled "To divide the county of Chambers into four commissioner districts, and to provide for the election of a commissioner for each district," approved August 27, 1915.

Be It Enacted by the Legislature of Alabama:

Section 1. That Local Act No. 271, Local Acts 1915, page 132,

entitled "To divide the county of Chambers into four commissioner districts, and to provide for the election of a commissioner for each district," approved August 27, 1915, be and the same is hereby amended to read as follows:

"1. That the county of Chambers be and the same is hereby divided into four commissioner districts to be numbered first, second, third and fourth districts. That the first district shall be composed of that part of Chambers county embraced within the precincts as now existing and numbered as follows: Precincts numbered 1, 6 and 7. That the second district shall be composed of that part of said county embraced within the precincts as now existing and numbered as follows: Precincts numbered 2, 3, 4, and 5. That the third district shall be composed of that part of said county embraced within the precincts as now existing and numbered as follows: Precincts numbered 8, 9, 10 and 11. That the fourth district shall be composed of that part of said county embraced within the precincts as now existing and numbered as follows: Precincts numbered 12 and 13.

"2. That at the general election in November, 1952, and every four years thereafter, a commissioner shall be elected in each of the first and second districts; and that at the general election in November, 1954, and every four years thereafter, a commissioner shall be elected in each of the third and fourth districts. The commissioners to be nominated by the qualified electors of their respective districts, and shall hold office for a term of four years and until their successors are elected and qualified. Each of said commissioners shall be a qualified elector of the district from which he is elected. Provided, however, that the present members of the Commissioners Court of Chambers County shall continue to serve and represent the districts from which they were elected until the expiration of their present terms of office and thereafter the said commissioners shall be elected from the districts as provided in this Act."

Section 2. This Act shall become effective on the first day of the sixth month after its passage and approval by the Governor or its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie D. Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 25, August 1, August 8, and August 15, all in the year 1951.

BONNIE D. HAND.

Sworn to and subscribed before me August 15, 1951.

PEARL H. HAND,  
Notary Public.

Also:

By Mr. Fite (Marion):

H. 1060. Relating to Fayette County: To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for public school purposes in Fayette County; and ordering an election thereon.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1054, 1057, 1059, 1069, 1070, 1063, 1074 and 1060—To the Committee on Local Legislation.

(The above numbered Bill, H. B. 1060, was read at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Morgan (Jefferson):

H. 903. To make an appropriation to the Alabama Alcoholic Beverage Control Board for the operation of the Beer Tax and License Division.

Also:

By Mr. Harrison (Shelby):

H. 865. To appropriate the sum of \$4,475.00 from any funds in the State Treasury not otherwise appropriated to the State Treasurer's office for the fiscal year ending September 30, 1952, and the sum of \$3,600.00 from any funds in the State Treasury not otherwise appropriated to the State Treasurer's office for the fiscal year ending September 30, 1953.

Also:

By Messrs. Garrett and Merrill:

H. 72. To require the expense of publication of the Governor's proclamation concerning any proposed amendment to the Constitution of Alabama to be paid out of the general fund of the State of Alabama; and to make an appropriation for the payment of the same.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 903, 865 and 72—To the Committee on Finance and Taxation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Dumas, Adams (Jefferson), Huey, Beatty, Morgan (Jefferson), Meeks and Kaul:

H. 1072. Relating to the registration and purgation of voters in counties having a population of 400,000 or more according to the 1940 or any succeeding decennial Federal Census; providing for the selection and compensation of the chairman of the Board of Registrars; providing for meeting days of the Board of Registrars for the registration and purgation of voters; conferring power on the Board of Registrars to establish, alter and consolidate election districts and precincts and designate voting places and to manage and control its office, to employ clerks and personnel subject to the provisions of any Merit or Civil Service System Act having application in such county, and to be the appointing authority of all of its employees subject to the provisions of any such Merit or Civil Service System Act, and to divest the governing body of such county and the Judge of Probate of such county of all such powers, functions and duties; and providing that this Act shall supersede all laws and parts of laws in so far as such counties are concerned.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1072—To the Committee on Local Legislation.

#### BILLS ON THIRD READING RESUMED

The Bill:

S. 66. To amend further Section 2 of Act No. 669, H. 792, approved July 5, 1940, which Act is known as the "Alabama Motor Carrier Act of 1939" (Acts 1939, pp. 1064-1090).

was taken up.

The Standing Committee on Commerce and Common Carriers reported the following amendment to the Bill, to-wit:

Amend subsection A (3) of Section Two of S. B. 66 by striking said subsection A (3) as now appears in the bill and substituting therefor the following:

"(3) Motor vehicles while used in the intrastate transportation of property when the person furnishing the transportation is legally and regularly engaged in the business of selling such property; also motor vehicles if engaged in hauling milk, livestock, coal, logs, lumber, poles, pulpwood, cotton in bales or cotton seed, for a distance not exceeding 75 miles, or fertilizer or peanuts or potatoes (but not manufactured products thereof) for a distance not exceeding 150 miles; or trucks hauling road materials and paid by the State of Alabama, for a distance not exceeding 25 miles, and motor vehicles used exclusively in the transportation of milk in thermal or artificially cooled bodies or containers for a distance not exceeding one hundred fifty miles; except that this subsection shall not be construed to exempt from the provisions of this Act any motor carrier who operates under a certificate or permit granted under the authority of the Alabama Public Service Commission.

"All motor vehicles hauling property for hire and exempt under Subsection A (3) of Section 2 must before transporting such property



secure a permit from the Department of Revenue of the State of Alabama, which permit shall be furnished without cost upon proper application. Such permit shall be issued under reasonable rules and regulations promulgated by the Department of Revenue of the State of Alabama."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Perry)	Richardson	
Andrews	Foster	McCary	Robison	
Bonner	Golson	Norrell	Smith	
Boutwell	High	Phillips	Sollie	
Clayton	Hollis	Pinson	Thagard	
Eddins	Larkins	Quarles	Whatley	
Farmer	Locke (Choctaw)	Reneau		—26

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Reneau	
Andrews	Faulkner	Locke (Choctaw)	Richardson	
Bonner	Foster	Locke (Perry)	Robison	
Boutwell	Golson	McCary	Smith	
Byars	High	Norrell	Sollie	
Clayton	Hollis	Pinson	Thagard	
Eddins	Jones	Quarles	Whatley	

—27

Nays: —0

## RESOLUTION

The following Resolution was introduced by the entire Senate membership.

S. J. R. 82. Whereas the distinguished President of the Senate has been elected chairman of the newly-formed National Conference of Lieutenant Governors; and

Whereas we are confident that no better choice could have been made for this high honor; therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the congratulations of this body are in order, and our felicitations are hereby cordially extended to Governor Allen; furthermore, we do hereby commend the Conference for its happy selection of its chief officer.

On motion of Mr. Boutwell the Rules were suspended and the Resolution adopted by the Senate.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 596. Relating to insurers not authorized to transact business in

this State; providing for actions in this state against and for the service of process upon such insurers; and prescribing how a defense may be made by such insurers.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 27; Nays 0.

**Yeas:**

Messrs.:	Faulkner	Larkins	Robison
Bonner	Golson	Locke (Perry)	Skidmore
Boutwell	High	Norrell	Smith
Byars	Hollis	Pinson	Sollie
Clayton	Johnson (Chambers)	Quarles	Thagard
Fant	Johnston (Mobile)	Reneau	Whatley
Farmer	Jones	Richardson	Wright

—27

**Nays:**

—0

**The Bill:**

S. 344. To amend Section 3 of Act No. 115, approved June 16, 1945 which relates to appropriation to Commission on Education with respect to Alcoholism.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 26; Nays 0.

**Yeas:**

Messrs.:	Farmer	Jones	Reneau
Andrews	Faulkner	Larkins	Robison
Bonner	Foster	Locke (Perry)	Sollie
Boutwell	Golson	McCary	Thagard
Byars	High	Norrell	Whatley
Clayton	Hollis	Pinson	Wright
Fant	Johnston (Mobile)	Quarles	

—26

**Nays:**

—0

**The Bill:**

S. 586. To make an appropriation to the State Board of Veterinary Medical Examiners for each of the fiscal years ending September 30, 1952 and September 30, 1953.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 28; Nays 0.

**Yeas:**

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
Andrews	Foster	Locke (Perry)	Robison
Bonner	High	McCary	Smith
Boutwell	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Pinson	Thagard
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright
Farmer			

—28

Nays: —0

The Bill:

H. 972. To further regulate primary and general elections of Circuit Judges in the 13th Judicial Circuit of the State of Alabama.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Richardson
Andrews	Farmer	Locke (Perry)	Robison
Bonner	Foster	McCary	Sollie
Boutwell	Hollis	Norrell	Thagard
Byars	Johnson (Chambers)	Pinson	Todd
Clayton	Johnston (Mobile)	Quarles	Whatley
Eddins	Jones	Reneau	Wright

—27

Nays: —0

The Bill:

S. 514. Relating to executive committees of political parties; amending Section 341, Title 17, Code of Alabama (1940).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Reneau
Andrews	Faulkner	Locke (Choctaw)	Richardson
Boutwell	Foster	McCary	Robison
Byars	High	Norrell	Sollie
Clayton	Hollis	Pinson	Todd
Eddins	Johnson (Chambers)	Quarles	Wright
Fant			

—24

Nays: —0

The Bill:

S. 254. To make appropriation to the office of secretary of state to be used in establishing and compiling an alphabetical list of corporations.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

#### FINANCE AND TAXATION COMMITTEE AMENDMENT TO SENATE BILL NO. 254

Amend Senate Bill No. 254 by deleting the words "five thousand dollars" and substituting in lieu thereof the words "one thousand dollars".

Which was adopted.

Yeas 26; Nays 0.

*Yeas:*

Messrs.:	Fant	Jones	Richardson
Andrews	Farmer	Locke (Perry)	Robison
Bonner	Faulkner	McCary	Skidmore
Boutwell	Foster	Norrell	Sollie
Byars	High	Pinson	Whatley
Clayton	Hollis	Quarles	Wright
Eddins	Johnson (Chambers)	Reneau	

—26

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

*Yeas:*

Messrs.:	Farmer	Jones	Richardson
Andrews	Faulkner	Locke (Perry)	Robison
Bonner	Foster	McCary	Skidmore
Boutwell	High	Norrell	Smith
Byars	Hollis	Pinson	Sollie
Clayton	Johnson (Chambers)	Quarles	Whatley
Eddins	Johnston (Mobile)	Reneau	Wright
Fant			

—28

*Nays:*

—0

*The Bill:*

H. 566. To amend Sections 364 and 365 of Title 52 of the Code of Alabama of 1940, which relates to the Teachers' Retirement System.

Was read a third time at length and passed.

Yeas 31; Nays 0.

*Yeas:*

Messrs.:	Farmer	Locke (Perry)	Robison
Andrews	Faulkner	McCary	Skidmore
Bonner	Foster	Norrell	Smith
Boutwell	High	Phillips	Sollie
Byars	Hollis	Pinson	Thagard
Clayton	Johnson (Chambers)	Quarles	Todd
Eddins	Johnston (Mobile)	Reneau	Whatley
Fant	Jones	Richardson	Wright

—31

*Nays:*

—0

## RESOLUTION

Mr. Clayton offered the following Senate Joint Resolution, to-wit:

S. J. R. 83. Whereas the price of beef cattle is being unduly depressed by the efforts and activities of the Office of Price Stabilization, which will tend to prevent beef cattle producers from producing enough meat to meet the demands of the Nation if prices continue to fall unduly; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Alabama's delega-

tion in Congress is hereby respectfully requested to oppose the efforts of the Price Stabilizer, Mr. DiSalle, to reduce further the price of beef cattle;

That the Legislature of Alabama opposes the reimposition of beef cattle slaughter quotas because it is convinced that if producers are unduly interfered with, they cannot produce an abundant supply of meat for the Nation.

Be it resolved further, that a copy of this resolution be transmitted forthwith by the Clerk of the Senate to each member of Alabama's Congressional delegation.

Which was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 960, said Governor's message being in words and figures as follows, to-wit:

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama  
Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 960, with a suggested executive amendment.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

August 24, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama  
Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 960, with a suggested executive amendment, as follows:

Amend Section 4 of House Bill No. 960 by substituting in lieu of the words and figures "ten dollars (\$10.00)", the words and figures "seven dollars and fifty cents (\$7.50)".

The suggested amendment is made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objection to the bill.

Respectfully,  
GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 960, by a vote of Yeas 65, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 960. To provide for meetings of the Board of Registrars in counties having a population of not less than seventy-five thousand nor more than one hundred and thirty thousand inhabitants.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 75, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Skidmore, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 960, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 26; Nays 0.

#### Yeas:

Messrs.:	Faulkner	McCary	Skidmore	
Bonner	Foster	Norrell	Smith	
Boutwell	High	Phillips	Sollie	
Byars	Hollis	Pinson	Thagard	
Clayton	Johnson (Chambers)	Reneau	Whatley	
Eddins	Johnston (Mobile)	Richardson	Wright	
Fant	Jones	Robison		—26

#### Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as amended by the executive amendment, was again read at length and passed.

Yeas 29; Nays 0.

#### Yeas:

Messrs.:	Faulkner	Locke (Perry)	Robison	
Andrews	Foster	McCary	Skidmore	
Boutwell	High	Norrell	Smith	
Byars	Hollis	Phillips	Sollie	
Clayton	Johnson (Chambers)	Quarles	Thagard	
Eddins	Johnston (Mobile)	Reneau	Whatley	
Fant	Jones	Richardson	Wright	
Farmer	Locke (Choctaw)			—29

#### Nays:

—0

Which was a majority of the whole number elected to the Senate.

### RECESS

At 12:05 P. M., on motion of Mr. Phillips, the Senate took a recess until 1:15 P. M.

Yeas 21; Nays 12.

#### Yeas:

Messrs.:	Byars	Fant	Foster
Andrews	Clayton	Farmer	Golson
Bonner	Eddins	Faulkner	High

# REGULAR SESSION

1783

Hollis	Locke (Perry)	Quarles	Todd
Jones	Norrell	Richardson	Wright
Locke (Choctaw)	Phillips		

—21

Nays:

Messrs.:	McCary	Robison	Sollie
Boutwell	Pinson	Skidmore	Thagard
Johnson (Chambers)	Reneau	Smith	Whatley
Johnston (Mobile)			

—12

## AFTERNOON SESSION

### THIRTY-SECOND LEGISLATIVE DAY

FRIDAY, AUGUST 24, 1951

The Senate reassembled at 1:15 P. M., Lieutenant-Governor Allen presiding.

### ROLL CALL

Present:

Messrs.:	Faulkner	Locke (Perry)	Robison
Andrews	Foster	McCary	Skidmore
Bonner	High	Norrell	Smith
Boutwell	Hollis	Phillips	Sollie
Byars	Johnson (Chambers)	Pinson	Thagard
Clayton	Johnston (Mobile)	Quarles	Todd
Eddins	Jones	Reneau	Whatley
Fant	Larkins	Richardson	Wright
Farmer	Locke (Choctaw)		

—33

### BILL REPORTED AND REREFERRED

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following Bill and ordered same returned to the Senate with a recommendation that it be rereferred to the Standing Committee on Finance and Taxation, to-wit:

S. B. 656. To re-divide the State into Judicial circuits and provide for the compensation, election and/or appointment of the Judge and Solicitor of the newly created Circuit.

And said Bill was rereferred to the Standing Committee on Finance and Taxation.

### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in Session, has compared the following Senate Bills and Resolution with the Engrossed and Original Bills and Resolution respectively, and finds same correctly enrolled, to-wit:

S. 587. Relating to Talladega County: To abolish the Court of County Commissioners of Talladega County and create in lieu thereof the Board of Revenue of Talladega County; providing for its organization and for the election, term, compensation, expenses, powers and duties of its chairman and associate members; providing for county

purchases by the Board; and making the Act operative upon its approval by a majority of the voters of Talladega County voting in a referendum.

Also:

S. 592. Relating to Cherokee County; providing for the payment by the county of the compensation of the Chief Clerk in the office of the Judge of Probate.

Also:

S. 593. To authorize each of the municipalities of the State having a population of not less than thirteen thousand nor more than sixteen thousand three hundred inhabitants to acquire by purchase any hospital and, as all or a part of the purchase price, to assume any indebtedness on such hospital and to agree to postpone the maturity date thereof and pay interest thereon or issue its bonds, revenue bonds, warrants, or notes, in order to secure funds to pay the purchase price thereof or at the time of purchase or later to finance extensions and improvements thereto and to provide for covenants and obligations in favor of the holders of such bonds, revenue bonds, warrants or notes; and to permit each such municipality to create a Board of Hospital Managers, as a self perpetuating body, to which such municipality may irrevocably delegate all powers, authority, functions and duties with respect to the management, operation and control of such hospital, and to provide for the election of the members of such board, the confirmation and removal of such members, the officers of the board, the compensation of members and officers of the board, the by-laws, powers, functions and duties of such board, and to limit the liability of the members of such board.

Also:

S. 595. To ratify, validate and confirm all payments of mileage and salary heretofore made by the Court of County Commissioners of Elmore County to J. W. Holt as Deputy Sheriff of Elmore County under the provisions of Act No. 69, approved May 20, 1935 (Local Acts of 1935, page 7), as amended by Act No. 282, approved August 25, 1939 (Local Acts of 1939, page 177), and as further amended by Act No. 38, approved June 2, 1949 (Local Acts of 1949, page 62); and to provide that such payments to said deputy sheriff shall be deemed to be valid regardless of whether the said J. W. Holt resided at Tallassee, Alabama during the period of time when he received such payments.

Also:

S. J. R. 80. Relative to: Naming of House Bills 92, 93 and 94.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excel-



lency, the Governor, proposing an amendment to the bill, H. 801, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 801, with suggested executive amendments.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

August 24, 1951.

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 801, with suggested executive amendments, as follows:

Amend the title of House Bill No. 801 by adding the following after the fourth semicolon contained in said title:

"to provide that the appropriations made herein for payment of said rentals shall not be subject to the provisions of Title 55, Chapter 4, Article 3 of the Code of Alabama of 1940 or to the provisions of any other act making appropriations;"

Amend Section 4 of said bill by adding at the end thereof the following:

"The appropriations herein made for the payment of rentals under the lease agreement shall not be subject to the provisions of Title 55, Chapter 4, Article 3 of the Code of Alabama of 1940, and shall not be restricted by or subject to the provisions of any other act making general or special appropriations."

The suggested amendments are made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objection to the bill.

Respectfully,  
GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 801, by a vote of Yeas 72, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 801. To authorize the Agricultural Center Board to lease the coliseum building and any facilities necessary in connection therewith forming a part of the Alabama Agricultural Center from any public corporation organized for the purpose of completing and equipping said coliseum building and facilities; to specify provisions for said lease; to authorize the said board to operate the properties leased and make contracts respecting the same and charges in connection therewith; to provide that

said lease shall not constitute or give rise to an indebtedness of the state and that the rentals thereunder shall be payable solely out of moneys in the Agricultural Center Fund derived from the operation of the properties so leased and, to the extent to which such revenues may not be sufficient to pay said rentals and the operating and administrative expenses of the board, out of moneys accruing to the Agricultural Fund under the provisions of Section 31 of Title 2 of the Code of 1940, and to make continuing appropriations therefor out of said funds; to repeal Sections 2 and 4 of Act Number 282 adopted at the 1945 Regular Session of the Legislature of Alabama; and to specify the effective date of this Act.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 73, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Robison, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 801, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 19; Nays 0.

Yeas:

Messrs.:	High	Norrell	Robison
Bonner	Hollis	Phillips	Smith
Boutwell	Johnston (Mobile)	Quarles	Sollie
Clayton	Jones	Reneau	Thagard
Faulkner	Locke (Perry)	Richardson	Todd

—19

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Perry)	Robison
Andrews	High	McCary	Smith
Bonner	Hollis	Phillips	Sollie
Boutwell	Johnston (Mobile)	Quarles	Thagard
Clayton	Jones	Reneau	Todd
Eddins	Locke (Choctaw)	Richardson	Whatley

—23

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Adams (Dale):

H. 589. To make an appropriation to the State Department of Public Welfare of four hundred, sixty-eight thousand, seven hundred, eleven dollars and twenty cents (\$468,711.20) for each of the fiscal years ending September 30, 1952, and September 30, 1953.

Also:

By Messrs. Meeks and Kendall:

H. 688. An Act to be designated as Section 660 (1) of Title 51, Code of Alabama 1940, as amended, and to provide that it shall be unlawful to use gasoline and other motor fuels in the operation of a motor vehicle over the highways of this state upon which the excise tax levied upon said products has not been paid or assumed and to further provide that a violation of this section shall constitute a misdemeanor punishable by a fine or not less than twenty-five dollars nor more than one hundred dollars, for each violation thereof.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 589 and 688—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Morgan (Tuscaloosa):

H. 740. To amend Sections (1), (7), and (9), of an Act designated as No. 169, H. 27, General Acts of Alabama 1945, page 285, and entitled "To provide further for conservation of the natural resources of the State by protection of forest products and development of the forestry program; to levy a privilege tax, to be known as the Forest Products Severance Tax, upon every person engaging in the business of severing timber or other forest products from the soil; to fix liability for, and prescribe methods of collecting and enforcing payment of such tax; to require records and reports; to provide for the assessment of the tax and appeals therefrom and exempting certain owners; to require reports from manufacturers, producers and transporters; to define terms and fix penalties for violation; to make appropriation of the proceeds of said tax.", approved June 23, 1945.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 740—To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Meeks and Kendall:

H. 687. To amend Sections (2), (8), (9), (10), (12), and (14) of an Act designated as No. 590, H. 392, General Acts of Alabama of 1939, page 958, and entitled: "To impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this state of certain motor fuels when used to operate motor vehicles upon the highways: to define the term motor fuel as used herein: to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this Act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this Act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this Act; and to generally provide for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto."; approved June 27, 1940.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 687—To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 494, the vote being Yeas 66, Nays 7. And said bill:

S. 494. To amend Section 714, Title 51, Code of Alabama 1940, which relates to the fees of probate judges for issuing licenses for operating motor vehicles.

as amended by the report of the Committee of Conference was again read at length and passed by a vote of: Yeas 65, Nays 5.

And said bill, together with the Report of the Committee of Conference is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bills:

H. 92. Relating to taxation: To exempt insecticides from the State's sales and use taxes.

Also:

H. 94. Relating to taxation: To exempt fungicides from the State's sales and use taxes.

R. T. GOODWYN, JR.,  
Clerk.

### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Smith:

S. B. 682. Relating to counties having populations of not less than 16,600 nor more than 17,900 inhabitants; Authorizing, directing and requiring the county governing body to insure county-owned motor vehicles.

Committee on Local Legislation.

By Messrs. Hollis and Jones:

S. B. 683. To provide for the disposition and use of the profits, including all tax levied upon the selling prices of all spirituous or vinous liquors, less all cost and expense of collecting said tax, of the Alabama Liquor Stores operated under the Alcoholic Beverage Control Board of Alabama.

Committee on Finance and Taxation.

By Mr. Eddins:

S. B. 684. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Linden in Marengo County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE OF INTENTION

#### TO APPLY FOR LOCAL LAW

The following bill will be introduced at the present session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To Alter, rearrange, and extend the boundary lines and corporate limits of the Town of Linden in Marengo County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary and corporate limits of the Town of Linden in Marengo County, Alabama, are hereby altered, rearranged and extended so that all of the lands embraced within the following boundaries are within the corporate limits of such municipality:

Commencing at the NE corner of Sec. 5, Tp. 15, R. 3 E., Marengo County, Alabama, and thence running W. along said Township line for a distance of 2640 ft. for a point of the beginning, which is NW corner of NE  $\frac{1}{4}$ , Sec. 5, Tp. 15, R. 3 E.; thence N. for a distance of 3960 ft. to the SW corner of NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Sec. 32, Tp. 16, R. 3 E., thence W. 2640 ft. to the SW corner of NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Sec. 32, Tp. 16, R. 3 E.; thence N. 2640 ft. to NW corner of SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , Sec. 29, Tp. 16, R. 3 E.; thence E. 6600 ft. to NE corner of SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , Sec. 28, Tp. 16, R. 3 E.; thence

S. 2640 ft. to SE corner of NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 33, Tp. 16, R. 3 E.; thence E. 3960 ft. to NE corner of SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 33, Tp. 16, R. 3 E.; thence S. 2640 ft. to NE corner of SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 33, Tp. 16, R. 3 E.; thence E. 2640 ft. to NE corner of SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 34, Tp. 16, R. 3 E.; thence S. 3960 ft. to SE corner of NW $\frac{1}{4}$  of Sec. 3, Tp. 15, R. 3 E.; thence W. 3960 ft. to NW corner of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 4, Tp. 15, R. 3 E.; thence S. 1320 ft. to SE corner of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Sec. 4; thence W. 1320 ft. to SW corner of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Sec. 4; thence S. 1320 ft. to SE corner of SW $\frac{1}{4}$  of said Sec. 4; thence W. 5280 ft. to SW corner of SE $\frac{1}{4}$  of Sec. 5, Tp. 15, R. 3 E.; thence N. 5280 ft. to the point of the beginning; all of which lands in this above stated description are located in Marengo County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

8-2-4tc

#### THE STATE OF ALABAMA MARENGO COUNTY

Before me, T. H. Boggs a notary public in and for said County, in said State, personally appeared R. E. Sutton, who, being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, Marengo County, Alabama, and that the said Democrat-Reporter is a newspaper of general circulation in Marengo County, Alabama, and that the NOTICE OF Local Bill To Extend Town of Linden, Marengo County, Ala. Corporate limits without expense to State of Ala. copy of which is hereto attached, was published in said newspaper, The Democrat-Reporter, for four consecutive weeks, to-wit:—in the issues dated August 2, 1951, August 9, 1951, August 16, 1951, August 23, 1951, and that each of said above issues was duly circulated among the subscribers of said newspaper, which said newspaper has been mailed under a second class mailing privilege of the United States Post Office where it is published for fifty-two (52) consecutive weeks prior to the publication of the above stated.

R. E. SUTTON,  
Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this 23 day of August, 1951.

T. H. BOGGS,  
Notary Public, Marengo County, Alabama.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Boutwell, et al:

S. J. R. 82. Relating to extending congratulations and felicitations to Governor Allen.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Baker:

House Joint Resolution No. 123. Be it resolved by the House, the Senate concurring, that H. B. 64 which has passed both Houses be known and be designated as the "Baker-Jones Bill."

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Jones, the Rules were suspended and the Resolution, H. J. R. 123, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

## BILLS ON THIRD READING

The Bill:

S. 558. Relating to boards of trustees of electric cooperatives; amending Section 39, Title 18, Code of Alabama (1940).

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment;

Yeas 28; Nays 0.

Yeas:

Messrs.:	Faulkner	Larkins	Richardson
Andrews	Foster	Locke (Choctaw)	Robison
Bonner	High	Locke (Perry)	Smith
Boutwell	Hollis	McCary	Sollie
Byars	Johnson (Chambers)	Norrell	Thagard
Clayton	Johnston (Mobile)	Phillips	Whatley
Eddins	Jones	Reneau	Wright
Farmer			

—28

Nays:

—0

The Bill:

S. 525. To amend Section 283, Title 13, Code of Alabama (1940), which relates to failure of a probate judge, clerk of the circuit court, or register to take, keep and bind newspapers.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

Amendment to S. B. 525.

Strike out Section 1 and insert in lieu thereof the following:

Section 1. Section 283, Title 13, Code of Alabama (1940) is amended to read: "Any probate judge, clerk of the circuit court, or register who fails to subscribe for, take, file, cause to be bound, and safely keep in his office weekly newspapers for twenty years, as required by law, is guilty of a misdemeanor and must, on conviction, be fined not less than fifty

dollars; and one conviction shall not bar a subsequent conviction for a continuing neglect."

On motion of Mr. Johnson (Chambers), said amendment was laid on the table.

Mr. Johnson (Chambers) offered the following amendment to the Bill, to-wit:

Amendment to S. B. 525.

Strike out Section 1 and insert in lieu thereof the following:

Section 1. Section 283, Title 13, Code of Alabama (1940) is amended to read: "Any probate judge, clerk of the circuit court, or register who fails to subscribe for, take, file, cause to be bound, and safely keep in his office weekly newspapers, as required by law, is guilty of a misdemeanor and must, on conviction, be fined not less than fifty dollars; and one conviction shall not bar a subsequent conviction for a continuing neglect; provided, however, that in counties having a population of four hundred thousand or more inhabitants according to the 1950 or any subsequent decennial census of the United States such officers shall not be required to keep weekly newspapers for more than twenty years."

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	Foster	Locke (Perry)	Skidmore
Boutwell	High	McCary	Smith
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Pinson	Thagard
Eddins	Johnston (Mobile)	Quarles	Todd
Fant	Jones	Reneau	Whatley
Farmer	Larkins	Richardson	Wright

—31

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foster	Locke (Perry)	Skidmore
Andrews	High	McCary	Smith
Boutwell	Hollis	Norrell	Sollie
Byars	Johnson (Chambers)	Pinson	Thagard
Clayton	Johnston (Mobile)	Quarles	Todd
Eddins	Jones	Reneau	Whatley
Farmer	Larkins	Richardson	Wright
Faulkner	Locke (Choctaw)	Robison	

—30

Nays:

—0

#### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report with substitute:



H. J. R. 95. Creating a joint legislative committee to study and investigate the public schools of the state.

And the Rules Committee reported the following substitute for the Resolution, to-wit:

**RULES COMMITTEE SUBSTITUTE FOR H. J. R. 95**

WHEREAS, the cost of operating the public school system of the State is increasing from year to year, and

WHEREAS, the members of the Legislature are vitally interested in securing the best public school teachers available to teach in the schools of the State and to pay such teachers the maximum possible salaries from the funds available, and

WHEREAS, the laws with regard to and the method of distributing school funds for the various purposes for which they are used are complicated and not easily comprehended by many of the members of the Legislature, and

WHEREAS, tenure for teachers is a form of Civil Service and seeks to keep the schools free from personal and political domination, to protect the teachers from unjust discharge, and to discourage school management based on fear, and

WHEREAS, the members of the Legislature desire to promote harmony between the supervisory school authorities, the public school teachers, the public and the Legislature, and

WHEREAS, the members of the Legislature are desirous of being currently informed in regard to the laws affecting the public school system of the State and the administration thereof; Now, Therefore:

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that**

1. There is hereby created and established a Joint Legislative Committee to study and investigate the public school system of the state, the laws relative thereto and all phases of the operation thereof, and to make such recommendations in regard thereto as the committee may find advisable. In making its investigation and studies the committee may call on the Department of Examiners of Public Accounts, the Legislative Council, the State Department of Education or other State agencies for information and assistance, and such agencies shall furnish all possible information and assistance to the committee when requested to do so.

2. The committee created hereby shall be composed of two members of the Senate appointed by the President of the Senate and three members of the House of Representatives appointed by the Speaker of the House. The members of the committee shall elect a chairman and vice chairman from among their number. The committee shall hold all its meetings at the State Capitol and shall meet upon the call of its chairman on a majority of its members. A majority of the members of the committee shall constitute a quorum for the transaction of business. Committee members shall be entitled to receive their regular Legislative per diem and all allowances while engaged in the business of the committee and while the Legislature is not in session, which same shall be paid from the appropriation made to the Legislature. The committee members shall not, however, receive such pay and allowances for more than fifteen days, nor for any meeting of the committee that they do not attend and shall not receive mileage for more than one time during the sessions of the committee.

3. The committee shall make a report of its findings and recommen-

dations to the Legislature not later than the fifth day of the 1953 regular session of the Legislature.

Which was adopted.

And said Resolution, as thus amended, was then concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Larkins and Faulkner.

#### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Mrs. Rosa McPherson, Silas—1st District—For the term expiring May 28, 1957.

Miss Margaret McFall, Montgomery—2nd District—For the term expiring May 28, 1957.

Mrs. Katherine Harper, Auburn—3rd District—For the term expiring May 28, 1957.

Mrs. Helen N. Macon, Wetumpka—4th District—For the term expiring May 28, 1957.

Honorable Russell Thomas, Alexander City—5th District—Succeeding E. L. Roberts, Gadsden, resigned, for the term expiring May 28, 1953.

And the above members of the Board of Trustees of the State Training School for Girls were confirmed by the Senate.

#### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 83. Relative to requesting the Office of Price Stabilization not to reduce the price of beef cattle.

And said Resolution was then adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 566. To amend Sections 364 and 365 of Title 52 of the Code of Alabama of 1940, which relates to the Teachers' Retirement System.

Also:

H. 960. To provide for meetings of the Board of Registrars in counties having a population of not less than seventy-five thousand nor more than one hundred and thirty thousand inhabitants.

Also:

H. 972. To further regulate primary and general elections of Circuit Judges in the 13th Judicial Circuit of the State of Alabama.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 92. Relating to taxation: To exempt insecticides from the State's sales and use taxes.

Also:

H. 94. Relating to taxation: To exempt fungicides from the State's sales and use taxes.

Also:

H. 442. Relating to taxation: To exempt from the computation of the amount of the sales tax levied by Section 753, Title 51, Code of Alabama (1940), the gross proceeds of sales of peanuts, peanut products, candy and chewing gum sold in dispensing machines located in industrial plants or on private property, for employees where such machines dispense exclusively articles not exceeding ten cents (10c) per sale, provided that the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale.

Also:

H. 951. Relating to the assessment of taxes; amending Sections 39, 40, 41, 42, and 43 of Title 51, Code of Alabama (1940).

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions and House Bill your signature thereto is requested.

H. J. R. 117. Relative to creation of committee to study State tax system.

Also:

H. J. R. 121. Relative to requesting Congress to amend Social Security Act.

Also:

H. 385. To amend Section 785, Title 51, Code of Alabama (1940), which relates to the discount allowed for collection of sales taxes.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 500. To amend Sections 279, 283, 287 and 289 of Title 26, 1940 Code of Alabama, as amended, relating to Workmen's Compensation.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. McCary, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 500, the title of which is set out in the foregoing Message from the House.

### AMENDMENT TO SENATE BILL NO. 500.

Amend Section 1 of Senate Bill No. 500 by inserting therein after the sentence "For the complete and permanent loss of hearing in both ears, one hundred and fifty weeks," the sentence "For the complete and permanent loss of hearing in one ear, fifty weeks."

Yeas 27; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Reneau
Andrews	Foster	Locke (Perry)	Richardson
Byars	High	McCary	Robison
Clayton	Hollis	Norrell	Skidmore
Eddins	Johnson (Chambers)	Phillips	Sollie
Fant	Jones	Pinson	Whatley
Farmer	Larkins	Quarles	Wright

—27

Nays:

—0

### BILLS ON THIRD READING RESUMED

The Bill:

S. 640. To exempt the gross proceeds of the sale of machines used in logging operations, pulpwood operations and milling of tangible personal property from computation of the amount of the sales tax levied, assessed or payable under the laws of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 27; Nay 1.

Yeas:

Messrs.:	Farmer	Jones	Richardson
Andrews	Faulkner	Larkins	Robison
Boutwell	Foster	Locke (Choctaw)	Skidmore
Byars	High	Norrell	Smith
Clayton	Hollis	Pinson	Sollie
Eddins	Johnson (Chambers)	Quarles	Whatley
Fant	Johnston (Mobile)	Reneau	Wright

—27

Nay: Mr. Bonner

—1

The Bill:

H. 908. Relating to exemptions of persons and property from ad valorem taxation; amending Section 2, Title 51, Code of Alabama, 1940, as amended.

Was read a third time at length and passed.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Farmer	Larkins	Robison
Andrews	Faulkner	Locke (Choctaw)	Smith
Boutwell	Foster	Norrell	Sollie
Byars	High	Phillips	Thagard
Clayton	Hollis	Pinson	Whatley
Eddins	Johnson (Chambers)	Quarles	Wright
Fant	Jones	Reneau	

—26

Nay: Mr. Bonner

—1

The Bill:

H. 284. To further amend Section 226 of Title 17 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Farmer	Jones	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Bonner	Foster	Locke (Perry)	Skidmore
Byars	High	McCary	Sollie
Clayton	Hollis	Pinson	Thagard
Eddins	Johnson (Chambers)	Quarles	Wright
Fant	Johnston (Mobile)	Reneau	

—26

Nay: Mr. Smith

—1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 338. To amend Section 213 of Title 26, Code 1940, as amended by Act No. 310 of the 1943 Legislature, Act No. 283 of the 1945 Legislature, and Act No. 524 of the 1949 Legislature, relating to unemployment compensation.

Also:

S. 390. To amend Sections 207, 209 and 214, Title 26, 1940 Code of Alabama, as amended, relating to unemployment compensation benefits.

Also:

S. 440. To propose amendments to Sections 272, 273 and 276, Article XV, Constitution of Alabama, pertaining to the organization, equipment, and discipline of the State Military forces; the administering of State military affairs; the appointment, suspension, discharge, removal and compulsory retirement of State military officers and The Adjutant General; and the qualifications of members of the Federally recognized National Guard.

Also:

S. 324. To amend Section 272 of Article 25 of Title 17 of the Code of Alabama of 1940, relating to expenditures of candidates for public or party office.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Miller and Bassett:

H. 996. To impose extra, new, and additional duties upon the circuit solicitors of the State of Alabama; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; and to provide for the payment of such additional compensation out of the General Fund of the State of Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 996—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Selden:

H. 55. To amend Section 45, Title 34, Code of Alabama (1940), relating to a sale or partition of land of joint owners or tenants in common.

Also:

By Mr. Miller:

H. 1016. To make an appropriation to the Alabama Real Estate Commission for each of the fiscal years ending September 30, 1952 and September 30, 1953.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 55—To the Committee on Judiciary.

H. B. 1016—To the Committee on Finance and Taxation.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 490. To amend Section 86 of Title 39 of the Code of Alabama (1940) which relates to presentment of negotiable paper and to the payment, certification or acceptance thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 22; Nay 1.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore
Andrews	Foster	McCary	Smith
Bonner	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnston (Mobile)	Pinson	Wright
Farmer	Jones	Richardson	—22

Nay: Mr. Johnson (Chambers) —1

The Bill:

S. 488. To provide that any bank or trust company and any national banking association, and any branch or branches of any of them transacting business in this State may close on any one business day of each week, even though a legal holiday shall also occur in any such week, and to provide that any day which such institution may elect to close shall, with respect to such institution, be deemed a holiday for all purposes and not a business day, and that all acts omitted or done by such bank or trust company and/or national banking association and/or branches of any of them on such day shall have the same effect as if omitted or done on the next succeeding business day, and that any act authorized, required or permitted to be performed at or with respect to any such Bank or trust company and/or national banking association or any branch or branches of any of them on the day so fixed may be performed on the next succeeding business day and no liability or loss of rights of any kind shall result from such delay to any person, or to any bank, trust company, national banking association, or any branch or branches of any of them.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 22; Nays 4.

Yeas:

Messrs.:	Bonner	Byars	Fant
Andrews	Boutwell	Eddins	Farmer

Faulkner	Locke (Choctaw)	Pinson	Sollie	—22
Foster	Locke (Perry)	Richardson	Whatley	
High	Norrell	Robison	Wright	
Johnston (Mobile)	Phillips	Skidmore		

Nays:

Messrs.:	Jones	Larkins	McCary	—4
Johnson (Chambers)				

The Bill:

S. 489. To amend Section 184 of Title 39 of the Code of Alabama (1940) which relates to legal holidays, and the due dates of commercial paper, and the time of doing of acts with respect to commercial paper.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 23; Nays 4.

Yeas:

Messrs.:	Faulkner	Locke (Perry)	Robison	—23
Andrews	Foster	Norrell	Skidmore	
Boutwell	High	Phillips	Sollie	
Byars	Hollis	Pinson	Thagard	
Eddins	Johnston (Mobile)	Reneau	Whatley	
Fant	Locke (Choctaw)	Richardson	Wright	

Nays:

Messrs.:	Jones	Larkins	McCary	—4
Johnson (Chambers)				

The Bill:

H. 241. To amend Sections 3 and 8 of Act No. 481 of the Legislature of Alabama of 1945, entitled: "An Act To promote and encourage the poultry industry and to regulate public hatcheries, chick dealers, and jobbers; the shipping into the State of baby chicks; turkey poults, and hatching eggs; and to authorize the Alabama Department of Agriculture and Industries to make regulations for such purposes and for the control of contagious and infectious diseases in poultry," approved July 7, 1945, by requiring public hatcheries, chick dealers and jobbers to pay an annual permit fee; to provide a delinquent fee and penalty for failure to pay such permit fee.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	High	Locke (Perry)	Robison	—25
Boutwell	Hollis	McCary	Skidmore	
Byars	Johnson (Chambers)	Norrell	Smith	
Eddins	Johnston (Mobile)	Pinson	Thagard	
Fant	Jones	Quarles	Whatley	
Faulkner	Larkins	Richardson	Wright	
Foster	Locke (Choctaw)			

Nays:

—0

## RESOLUTION

Mr. Thagard offered the following Senate Joint Resolution, to-wit:



S. J. R. 84. Be it resolved by the Senate, the House of Representatives concurring, that Senate Bill 324 which has passed both Houses, be known and designated as Reneau-Gallalee Bill.

And the Rules were suspended and the Resolution adopted by the Senate.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Bill and Senate Resolution with the Engrossed and Original Bill and Resolution, respectively, and finds same correctly enrolled, to-wit:

S. 494. To amend Section 714, Title 51, Code of Alabama 1940, which relates to the fees of probate judges for issuing licenses for operating motor vehicles.

Also:

S. J. R. 82. Relative to: Congratulations to Lieutenant-Governor Allen on being elected chairman of the newly-formed National Conference of Lieutenant-Governors.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILL AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Selden:

H. 804. To empower municipalities and other political subdivisions to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

Also:

By Mr. Shelton:

H. 89. To provide that the State shall reimburse a county either in whole or in part for the expenses incurred in holding and conducting certain elections, and appropriating funds for that purpose.

And ordered same sent forthwith to the Senate without engrossment.

M. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 804—To the Committee on Judiciary.

H. B. 89—To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Romine:

H. 248. To amend Act No. 173, H. 311, approved June 23, 1945, which established the State Department of Veterans' Affairs (Acts, 1945, pp. 304-312).

Also:

By Mr. Romine:

H. 249. To impose extra, new, and additional duties upon the State Service Commissioner, Department of Veterans' Affairs, and to provide additional compensation for the performance of such duties.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 248 and 249—To the Committee on Finance and Taxation.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 610. To provide when standing timber and trees, and cutting rights with respect thereto, shall be chattels and not real property.

was taken up.

Mr. Faulkner offered the following amendment to the Bill, to-wit:

## AMENDMENT TO HOUSE BILL 610.

Amend House Bill 610 by striking therefrom Section 1 in its entirety and inserting in lieu thereof the following:

"Section 1. All standing timber and trees, and cutting rights with respect thereto, while owned by or mortgaged to anyone other than the owner of the land upon which such timber or trees are located, under or by virtue of any conveyance, mortgage or other instrument executed hereafter by the owner or owners of the entire fee simple title to the timber or trees or by the owner or owners of the full cutting rights with respect thereto, shall be and shall be considered as chattels and not real property, or interest therein, in all instances where the right or obligation to cut and remove such timber or trees is limited to a period not exceeding ten (10) years from the date of the conveyance, mortgage, or other instrument transferring such timber or trees, or rights with respect thereto."

Which was adopted.

Yeas 27; Nay 1.

Yeas:

Messrs.:	Farmer	Jones	Reneau
Andrews	Faulkner	Larkins	Richardson
Bonner	Foster	Locke (Choctaw)	Robison
Boutwell	High	Locke (Perry)	Skidmore
Byars	Hollis	Norrell	Thagard
Eddins	Johnson (Chambers)	Pinson	Whatley
Fant	Johnston (Mobile)	Quarles	Wright

—27

Nay: Mr. Clayton

—1

Mr. Norrell moved that further consideration of the bill be postponed until the next legislative day.

Mr. Bonner moved as a substitute motion that further consideration of the bill, H. B. 610, be indefinitely postponed, and on motion of Mr. Faulkner the motion to indefinitely postpone was laid on the table.

Yeas 16; Nays 15.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore
Boutwell	High	Pinson	Thagard
Byars	Johnston (Mobile)	Reneau	Whatley
Eddins	Larkins	Robison	Wright
Farmer			

—16

Nays:

Messrs.:	Fant	Locke (Perry)	Quarles
Andrews	Foster	McCary	Richardson
Bonner	Johnson (Chambers)	Norrell	Smith
Clayton	Jones	Phillips	Sollie

—15

Mr. Smith then moved that further consideration of the bill be postponed until the next legislative day, and on motion of Mr. Faulkner said motion was laid on the table.

Yeas 17; Nays 15.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore
Boutwell	High	Pinson	Thagard
Byars	Hollis	Reneau	Whatley
Eddins	Johnston (Mobile)	Robison	Wright
Farmer	Larkins		

—17

Nays:

Messrs.:	Fant	Locke (Perry)	Quarles
Andrews	Foster	McCary	Richardson
Bonner	Johnson (Chambers)	Norrell	Smith
Clayton	Jones	Phillips	Sollie

—15

Mr. Bonner then moved that the Senate do now adjourn until Tuesday, August 28, 1951, which motion was lost.

Yeas 2; Nays 30.

Yeas: Messrs. Bonner and Smith

—2

Nays:

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
Andrews	Foster	Locke (Perry)	Robison
Boutwell	High	McCary	Skidmore
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Phillips	Thagard
Eddins	Johnston (Mobile)	Pinson	Whatley
Fant	Jones	Quarles	Wright
Farmer	Larkins	Reneau	

—30

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 22; Nays 10.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	High	Locke (Perry)	Skidmore
Boutwell	Hollis	McCary	Thagard
Byars	Johnston (Mobile)	Pinson	Whatley
Eddins	Jones	Reneau	Wright
Farmer	Larkins	Richardson	

—22

Nays:

Messrs.:	Fant	Norrell	Smith
Bonner	Foster	Phillips	Sollie
Clayton	Johnson (Chambers)	Quarles	

—10

Mr. Robison moved that the Senate reconsider the vote by which it passed the bill, H. B. 610, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 21; Nays 11.

Yeas:

Messrs.:	Faulkner	Locke (Perry)	Robison
Boutwell	High	McCary	Skidmore
Byars	Hollis	Pinson	Thagard
Clayton	Johnston (Mobile)	Reneau	Whatley
Eddins	Larkins	Richardson	Wright
Farmer	Locke (Choctaw)		

—21

Nays:

Messrs.:	Fant	Jones	Quarles
Andrews	Foster	Norrell	Smith
Bonner	Johnson (Chambers)	Phillips	Sollie

—11

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 95. Creating a joint legislative committee to study and investigate the public schools of the State.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Tennille and Adams (Jefferson):

H. 351. To further provide for the issuance of hunting and fishing licenses. To provide how said licenses shall be issued and by whom. To provide for disposition of the revenue derived from the sale of such licenses. To provide for a fee for the issuance of same. To repeal all laws or parts of laws in conflict herewith and for other purposes.

Also:

By Messrs. Meeks, Adams (Jefferson) and Morgan (Jefferson):

H. 817. Relating to criminal sexual psychopathic persons; providing for the commitment and treatment of such persons after their conviction of a sex offense, and prescribing the procedure therefor; and providing for the further disposition of such persons.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 351 and 817—To the Committee on Finance and Taxation.

## CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Faulkner, further consideration of the Bill, S. B. 408, was indefinitely postponed by the Senate.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 52. To amend Sections 20 and 21 of Title 30, Code of Alabama (1940), which relate to the qualifications of persons on jury rolls.

was taken up.

The Standing Committee on Privileges and Elections reported the following substitute for the Bill, to-wit:

## SUBSTITUTE FOR S. B. 52

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 20 and 21 of Title 30, Code of Alabama (1940), which relate to the qualifications of persons on jury rolls.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 20, Title 30, Code of Alabama (1940), as amended, is amended further to read as follows:

"Section 20. The jury commission shall meet in the court house at the county seat of the several counties annually, between the first day of August and the twentieth day of December, and shall make in a well

bound book a roll containing the name of every citizen living in the county who possesses the qualifications herein prescribed and who is not exempted by law from serving on juries. The roll shall be arranged alphabetically and by precincts in their numerical order and the jury commission shall cause to be written on the roll opposite every name placed thereon the occupation, residence and place of business of every person selected, and if the residence has a street number it must be given. Upon the completion of the roll the jury commission shall cause to be prepared plain white cards all of the same size and texture and shall have written or printed on the cards the name, occupation, place of residence and place of business of the person whose name has been placed on the jury roll; writing or printing but one person's name, occupation, place of residence and of business on each card. These cards shall be placed in a substantial metal box provided with a lock and two keys, which box shall be kept in a safe or vault in the office of the probate judge, and if there be none in that office, the jury commission shall deposit it in any safe or vault in the court house to be designated on the minutes of the commission; and one of said keys thereof shall be kept by the president of the jury commission. The other of said keys shall be kept by a judge of a court of record having juries, other than the probate or circuit court, and in counties having no such court then by the judge of the circuit court, for the sole use of the judges of the courts of said county needing jurors. The jury roll shall be kept securely and for the use of the jury commission exclusively. It shall not be inspected by any one except the members of the commission or by the clerk of the commission upon the authority of the commission, unless under an order of the judge of the circuit court or other court of record having jurisdiction."

Section 2. Section 21, Title 30, Code of Alabama (1940), as amended, is amended further to read as follows:

"Section 21. The jury commission shall place on the jury roll and in the jury box the names of all male and female citizens of the county who are generally reputed to be honest and intelligent men and women and are esteemed in the community for their integrity, good character and sound judgment; but no person must be selected who is under twenty-one or who is an habitual drunkard, or who, being afflicted with a permanent disease or physical weakness is unfit to discharge the duties of a juror; or cannot read English or who has ever been convicted of any offense involving moral turpitude. If a person cannot read English and has all the other qualifications prescribed herein and is a freeholder or householder his name may be placed on the jury roll and in the jury box. No person over the age of sixty-five years shall be required to serve on a jury or to remain on the panel of jurors unless he is willing to do so. Any woman whose name is placed on the jury roll may have the same removed therefrom upon her written request."

Mr. Phillips offered the following amendment to the substitute for the Bill, to-wit:

Amend Substitute for S. B. 52 by striking the last sentence therein and substituting in lieu thereof the following:

The name of no woman shall be placed on the jury roll except upon her written request.

Which was adopted.

And said substitute, as thus amended, for the Bill, was then adopted.

Yeas 18; Nays 12.

Yeas:

Messrs.:  
Andrews

Boutwell  
Fant

Farmer  
Faulkner

High  
Hollis

# REGULAR SESSION

1807

Johnson (Chambers)	Larkins	Phillips	Whatley	
Johnston (Mobile)	McCary	Reneau	Wright	
Jones	Norrell	Robison		—18

*Nays:*

Messrs.:	Eddins	Pinson	Skidmore	
Bonner	Locke (Choctaw)	Quarles	Sollie	
Byars	Locke (Perry)	Richardson	Thagard	
Clayton				—12

And said Bill, as thus amended, was then read a third time at length and lost.

Yeas 14; Nays 16.

*Yeas:*

Messrs.:	Faulkner	Johnston (Mobile)	Phillips	
Andrews	High	Jones	Robison	
Boutwell	Hollis	Larkins	Wright	
Farmer	Johnson (Chambers)	McCary		—14

*Nays:*

Messrs.:	Fant	Pinson	Skidmore	
Bonner	Locke (Choctaw)	Quarles	Sollie	
Byars	Locke (Perry)	Reneau	Thagard	
Clayton	Norrell	Richardson	Whatley	
Eddins				—16

The Bill:

H. 390. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of office and compensation of members of county boards of equalization.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

## FINANCE AND TAXATION COMMITTEE SUBSTITUTE FOR HOUSE BILL 390

### A BILL TO BE ENTITLED AN ACT

To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 94 of Title 51 of the Code of Alabama (1940, as amended, is further amended and shall read as follows:

"Section 94. Term of service and compensation of members of the board.—(A) The annual term of service and compensation of members of the several county boards of equalization shall be on a basis of total assessed value of all taxable property, using the year 1948 as the basis, to be determined as follows: (1) In those counties in which the total assessed value of all taxable property exceeds three hundred million dollars (\$300,000,000), according to the tax assessor's abstract of assessments for said year, the members of the county board of equalization shall serve on a full time basis and shall be paid at the rate of seventy-

two hundred dollars (\$7200) per annum payable in monthly installments; (2) In those counties in which the total assessed value of all taxable property is not less than fifty million dollars (\$50,000,000) and does not exceed three hundred million dollars (\$300,000,000) according to the tax assessor's abstract of assessments for said year, the members of the county board of equalization shall serve for not more than six (6) months, the exact working period to be fixed or approved by the department of revenue, and shall be paid at the rate of two hundred and fifty dollars (\$250) for each month; and said board shall be allowed annual traveling expenses to be approved by the department of revenue not to exceed the sum of two hundred fifty dollars (\$250) for any tax year. (3) In those counties in which the total assessed value of all taxable property is not less than twenty-five million dollars (\$25,000,000) and does not exceed fifty million dollars (\$50,000,000), according to the tax assessor's abstract of assessments for said year, the members of the county board of equalization shall serve for not more than eighty (80) working days, the exact working period to be fixed or approved by the department of revenue, and shall be paid at the rate of ten dollars (\$10.00) each per diem, payable in monthly installments; and said board shall be allowed annual traveling expenses, to be approved by the department of revenue, not to exceed the sum of two hundred dollars (\$200); (4) In those counties in which the total assessed value of all taxable property does not exceed twenty-five million dollars (\$25,000,000) according to the tax assessor's abstract of assessments for said year, the members of the county board of equalization shall serve for not more than (80) working days, the exact working period to be fixed or approved by the department of revenue, and shall be paid at the rate of ten dollars (\$10.00) each per diem, payable in monthly installments; and said board shall be allowed annual traveling expenses, to be approved by the department of revenue, not to exceed the sum of one hundred dollars (\$100).

"(B) The expenses hereinabove authorized shall be paid in the same manner and proportion as the salaries of the members of the boards of equalization of the several counties of the state, in monthly installments, upon itemized statements approved by the state department of revenue.

"(C) Members of county boards of equalization, county tax assessors, employees of the department of revenue, including the commissioner thereof, called as witnesses in any appeal by any taxpayer from the rulings of the board of equalization or department of revenue on an assessment shall not claim witness fees from any court, but such service shall be incidental to and a part of the duties of his office.

"(D) The commissioner of the state department of revenue with the approval of the governor shall on the first day of each January designate one member of each of the boards of equalization of the several counties of the state to act as chairman, and such chairman shall be the executive officer of the board and shall supervise the assignment of duties to members and employees.

"(E) If any member of any county board of equalization refuses or fails to devote his entire time for the period employed to the performance of the duties of his office, the commissioner of the department of revenue shall approve payment of compensation for only such time as such member devotes to the performance of his official duties."

Section 2. This Act shall become effective October 1, 1951.

Which was adopted.

Yeas 22; Nays 3.

Yeas:

Messrs.:  
Andrews

Boutwell  
Byars

Clayton  
Fant

Farmer  
Faulkner



Hollis	Larkins	Reneau	Sollie	
Johnson (Chambers)	McCary	Richardson	Whatley	
Johnston (Mobile)	Pinson	Robison	Wright	
Jones	Quarles	Skidmore		—22

Nays: Messrs.: Bonner, Locke (Choctaw) and Locke (Perry) —3

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 22; Nays 4.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Robison	
Andrews	Farmer	McCary	Skidmore	
Boutwell	Faulkner	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Wright	
Eddins	Johnson (Chambers)	Richardson		—22

Nays:

Messrs.:	Locke (Choctaw)	Locke (Perry)	Reneau	
Bonner				—4

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 141. To amend Section 29 of Title 13 of the Code of 1940 as amended.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 143. To amend Section 103 of Title 13, of the Code of 1940 as amended.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 138. To amend Section 57 of Title 13 of the Code of 1940 as amended.

Also:

S. 137. To amend Section 62 of Title 13 of the Code of 1940 as amended.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Thagard:

S. J. R. 84. Relating to the naming of Senate Bill 324 the Reneau-Gallalee Bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 801. To authorize the Agricultural Center Board to lease the coliseum building and any facilities necessary in connection therewith forming a part of the Alabama Agricultural Center from any public corporation organized for the purpose of completing and equipping said coliseum building and facilities; to specify provisions for said lease; to authorize the said board to operate the properties leased and make contracts respecting the same and charges in connection therewith; to provide that said lease shall not constitute or give rise to an indebtedness of the state and that the rentals thereunder shall be payable solely out of moneys in the Agricultural Center Fund derived from the operation of the properties so leased and, to the extent to which such revenues may not be sufficient to pay said rentals and the operating and administrative expenses of the board, out of moneys accruing to the Agricultural Fund under the provisions of Section 31 of Title 2 of the Code of 1940, and to make continuing appropriations therefor out of said funds; to provide that the appropriations made herein for payment of said rentals shall not be subject to the provisions of Title 55, Chapter 4, Article 3 of the Code of Alabama of 1940 or to the provisions of any other act making appropriations; to repeal Sections 2 and 4 of Act Number 282 adopted at the 1945 Regular Session of the Legislature of Alabama; and to specify the effective date of this Act.

Also:

H. 284. To further amend Section 226 of Title 17 of the Code of Alabama of 1940.

Also:

H. 241. To amend Sections 3 and 8 of Act No. 481 of the Legislature of Alabama of 1945, entitled: "An Act To promote and encourage the poultry industry and to regulate public hatcheries, chick dealers, and jobbers; the shipping into the State of baby chicks; turkey poult, and hatching eggs; and to authorize the Alabama Department of Agriculture and Industries to make regulations for such purposes and for the control of contagious and infectious diseases in poultry," approved July 7, 1945, by requiring public hatcheries, chick dealers and jobbers to pay an an-

nual permit fee; to provide a delinquent fee and penalty for failure to pay such permit fee.

Also:

H. 908. Relating to exemptions of persons and property from ad valorem taxation; amending Section 2, Title 51, Code of Alabama, 1940, as amended.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 274. Providing for the creation and organization of a Board of Water and Sewer Commissioners by any City in the State; providing for the transfer to such Board of all or any part of any water system or sewer system or both such systems then owned and operated by any such City or by the Water Works Board of any such City and the conditions of any such transfer; providing for the issuance of revenue bonds of such Board of Water and Sewer Commissioners, payable solely from revenues, to pay all or any part of the cost of acquiring or constructing any water system or sewer system and the cost of improvements, extensions and additions and to refund any bonds or obligations assumed by such Board, without incurring any debt of the City or pledging its faith and credit; providing for a trust agreement to secure any such revenue bonds, without mortgaging any such system or part thereof; authorizing the issuance of revenue refunding bonds of such Board; providing for fixing and collecting by the Board of rates, fees and charges for the use of and for the services furnished by any water system, sewer system or sewage disposal system operated by it, and for the application of such revenues; providing for sewer connections and the enforcement of charges; exempting all properties of the Board and such bonds from taxation; and prescribing the powers and duties of the Board in connection with the foregoing and the rights and remedies of the holders of any such bonds.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 274, the title of which is set out in the foregoing Message from the House.

### AMENDMENT TO SENATE BILL NO. 274

Senate Bill No. 274 is hereby amended in the following respects:

(1) ~~Strike out~~ the words "Secretary of State" in paragraph 3 of

Section 2 and insert the words "Judge of Probate of the county or counties where such city is located."

(2) At the end of Section 2, add the following: "The Judge of Probate shall file a notice of the organization of such Board with the Secretary of State."

(3) Strike out the words "instrumentality exercising public and essential governmental functions" where the same appear in Section 4 and insert in lieu thereof, "public agency or instrumentality exercising public and governmental functions."

(4) Strike out Section 6 and clause (k) of Section 4.

(5) At the beginning of clause (1) of Section 4, add the following: "(with the consent of the city)".

(6) At the end of Section 8 add the following:

"Any such pledge of revenues shall be valid and binding from the time when the pledge is made, and the revenues or other moneys so pledged and thereafter received by the Board shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Board, irrespective of whether such parties have notice thereof, from the time a statement thereof is filed in the office of the Judge of Probate of the county or counties where the system is located. Such notice need only state the date of the resolution, the principal amount of the bonds and whether the system is a water system or sewer system or a combined water and sewer system and that the proceeds of such system have been pledged to the payment of the bonds."

(7) Strike out the words "essential governmental functions" where they appear in Section 4 and insert in lieu thereof: "public and governmental functions".

(8) In paragraph 1 of Section 16 strike out the words "certified public accountants" and insert in lieu thereof the words "a certified public accountant or an auditor who is regularly employed by the State Examiner of Public Accounts."

Also:

Amend Section 4 of Senate Bill 274 as amended by adding at the end thereof a new subsection to be known as Subsection (o), to read as follows:

(o). All resolutions adopted or promulgated by the Board shall, as soon as practicable after their passage, be recorded in a book kept for that purpose and be authenticated by the signature of the secretary or other administrative officer authorized to authenticate such resolutions; and all resolutions of a general or permanent nature shall be published in some newspaper of general circulation in the city, but if no such newspaper is published within the limits of the city, such resolutions may be published by posting three copies thereof in three public places within the limits of the city.

Yeas 22; Nays 0.

Yeas:

Messrs.:  
Andrews  
Boutwell

Byars  
Clayton  
Eddins

Fant  
Farmer  
High

Hollis  
Johnson (Chambers)  
Johnston (Mobile)

Jones	Pinson	Richardson	Sollie	
Locke (Choctaw)	Quarles	Robison	Wright	
McCary	Reneau	Skidmore		—22
Nays:				—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 501. To impose extra, new, and additional duties upon the State Superintendent of Education and to provide additional compensation for the performance thereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 635. To make a conditional appropriation to the Department of Conservation, Division of State Parks, Monuments and Historical Sites.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 22; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Quarles	
Andrews	Fant	Locke (Choctaw)	Reneau	
Bonner	Faulkner	Locke (Perry)	Skidmore	
Boutwell	High	McCary	Sollie	
Byars	Hollis	Norrell	Whatley	
Clayton	Johnston (Mobile)	Pinson		—22
Nays:				—0

The Bill:

S. 634. To amend Section XVI, subsections A and B of Act No. 386, approved August 8, 1951, General Acts of 1951.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 28; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Reneau	
Andrews	Faulkner	Locke (Perry)	Richardson	
Bonner	High	McCary	Robison	
Boutwell	Hollis	Norrell	Skidmore	
Byars	Johnson (Chambers)	Phillips	Sollie	
Clayton	Johnston (Mobile)	Pinson	Whatley	
Eddins	Jones	Quarles	Wright	
Fant				—28
Nays:				—0

## RESOLUTION

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 85. Resolved by the Senate that S. B. 56 on page 18 of the Calendar today be added to the Special Orders of the day immediately following S. B. 571.

And said Resolution was adopted by the Senate.

## BILLS ON THIRD READING RESUMED

The Bill:

S. 452. To further regulate the taking of fish in the public waters of Alabama.  
was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

## AMENDMENT TO S. B. 452

Section 2 of S. B. 452 is hereby amended to read as follows:

"Section 2. Any person who uses any electrical device or any other device or instrument capable of taking, catching, stunning or killing game or non-game fish, which is not expressly allowed by law or regulation of the Department of Conservation, shall be in violation of this Act and such violation shall be punishable by a fine of not less than \$50.00 nor more than \$500.00. Any person convicted the second time of violating any of the provisions of this Act shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$200.00 nor more than \$500.00 and the court, at its discretion, may also impose a jail sentence of not longer than six months."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Pinson
Andrews	Farmer	Larkins	Reneau
Bonner	Faulkner	Locke (Choctaw)	Robison
Boutwell	High	Locke (Perry)	Skidmore
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Phillips	Whatley
Eddins	Johnston (Mobile)		

—25

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 1.

Yeas:

Messrs.:	Farmer	Larkins	Quarles
Andrews	Faulkner	Locke (Choctaw)	Reneau
Boutwell	High	Locke (Perry)	Robison
Byars	Hollis	McCary	Skidmore
Clayton	Johnston (Mobile)	Norrell	Sollie
Eddins	Jones	Pinson	Whatley
Fant			

—24

Nay: Mr. Bonner

—1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

By Mr. Faulk:

H. 390. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 534. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics, agriculture, and medical technology. was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

#### FINANCE AND TAXATION COMMITTEE AMENDMENT TO SENATE BILL NO. 534

Amend Senate Bill No. 534, Section 1, by striking therefrom the words and figures "two hundred seventy-five thousand dollars (\$275,000)" and inserting in lieu thereof the words and figures "seventy-five thousand dollars (\$75,000)"; and further amend said Section 1, Line 12, by adding after the year "1953," and before "for the purpose of contracting with Tuskegee Institute", etc., the words "to be released on approval of the Governor,".

Which was adopted.

Yeas 24; Nay 1.

Yeas:

Messrs.:	High	Locke (Choctaw)	Quarles
Andrews	Hollis	Locke (Perry)	Reneau
Byars	Johnson (Chambers)	McCary	Robison
Clayton	Johnston (Mobile)	Norrell	Skidmore
Fant	Jones	Phillips	Sollie
Farmer	Larkins	Pinson	Whatley
Faulkner			

—24

Nay: Mr. Eddins

—1

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 3.

Yeas:

Messrs.:	Farmer	Johnston (Mobile)	McCary
Andrews	Faulkner	Jones	Norrell
Boutwell	High	Larkins	Phillips
Byars	Hollis	Locke (Choctaw)	Pinson
Clayton	Johnson (Chambers)	Locke (Perry)	Quarles

Reneau	Skidmore	Whatley	Wright	
Robison	Sollie			—25
Nays:	Messrs. Bonner, Eddins and Fant			—3

The Bill:

S. 651. To make an additional appropriation to the State Board of Education for the physical restoration of crippled children.  
was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

#### AMENDMENT TO SENATE BILL NO. 651

Amend Senate Bill No. 651, Section 1, by adding after the word "children" in Line 5 of said section the words "and civilian rehabilitation".

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Quarles	
Andrews	Farmer	Larkins	Robison	
Bonner	High	Locke (Choctaw)	Skidmore	
Boutwell	Hollis	Locke (Perry)	Sollie	
Clayton	Johnson (Chambers)	Norrell	Whatley	
Eddins	Johnston (Mobile)	Phillips	Wright	—23

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment;

Yeas 26; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Reneau	
Bonner	Faulkner	Locke (Choctaw)	Robison	
Boutwell	High	Locke (Perry)	Skidmore	
Byars	Hollis	McCary	Sollie	
Clayton	Johnson (Chambers)	Phillips	Whatley	
Eddins	Johnston (Mobile)	Pinson	Wright	—26
Fant	Jones	Quarles		

Nays:

—0

The Bill:

S. 642. Relating to insurance; regulating insurance companies engaged as multiple-line carriers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 25; Nays 0.

Yeas:

Messrs.:	Boutwell	Clayton	Farmer
Andrews	Byars	Fant	Faulkner



High	Locke (Choctaw)	Pinson	Skidmore	
Hollis	Locke (Perry)	Quarles	Sollie	
Johnston (Mobile)	McCary	Reneau	Whatley	
Jones	Norrell	Robison	Wright	
Larkins	Phillips			—25

Nays: —0

The Bill:

S. 650. Relating to the municipality of Elba in Coffee County: To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Elba.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Norrell	Robison	
Andrews	High	Phillips	Skidmore	
Boutwell	Hollis	Pinson	Sollie	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Reneau	Wright	
Fant	McCary			—21

Nays: —0

The Bill:

S. 569. To make it unlawful to make or present for payment any false, fictitious, or fraudulent claim against the State of Alabama, or any county thereof, or for the purpose of obtaining the payment of such claim to make any fraudulent statement or representation, or by any other manner or means aid the payment of such fraudulent claim, and to prescribe the penalties for violating this Act.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

Committee Substitute for S. B. 569.

# A BILL TO BE ENTITLED AN ACT

To make it unlawful to make or present for payment any false, fictitious, or fraudulent claim against the State of Alabama, or any county or municipality thereof, or for the purpose of obtaining the payment of such claim to make any fraudulent statement or representation, or by any other manner or means aid the payment of such fraudulent claim, and to prescribe the penalties for violating this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It is unlawful for any person to make or cause to be made or present or cause to be presented for payment or approval any claim upon or against the State of Alabama or any department or officer or agency thereof or any county or municipality or officer thereof, knowing such claim to be false, fictitious, or fraudulent; or for any person, for the purpose of obtaining or aiding to obtain the payment or approval of such claim or for the purpose and with the intent of cheating and swindling or defrauding the State of Alabama or any department or

agency thereof, or any county or municipality of the State of Alabama or any department thereof to knowingly and willfully falsify or deceive or cover up by any trick, scheme or device a material fact, or make or cause to be made, any false or fraudulent statement or representation or make or use or cause to be made or used any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any false, fraudulent or fictitious statement or entry. Any person who violates this Act shall, upon conviction, be fined not more than two thousand dollars (\$2,000) or be imprisoned for not more than five (5) years, or both.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Reneau	
Andrews	Faulkner	Locke (Perry)	Robison	
Boutwell	Hollis	Norrell	Skidmore	
Byars	Johnston (Mobile)	Phillips	Sollie	
Clayton	Jones	Quarles	Wright	
Eddins	Larkins			—21

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Quarles	
Andrews	Farmer	Jones	Reneau	
Bonner	Faulkner	Locke (Choctaw)	Robison	
Byars	High	Locke (Perry)	Skidmore	
Clayton	Hollis	McCary	Whatley	
Eddins	Johnson (Chambers)	Norrell		—22

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Adams (Jefferson):

H. 444. To amend Section 107 of Title 22 of the Code of Alabama of 1940; to amend Section 110 of Title 22 of the Code of Alabama of 1940, as amended by Act No. 429 of the Legislature of 1943, approved July 8, 1943, as further amended by Act No. 195 of the Legislature of 1945, approved June 23, 1945; to amend Sections 111 and 113 of Title 22, of the Code of Alabama of 1940, as amended by Act No. 195 of the Legislature of 1945, approved June 23, 1945; and to amend Section 115 of Title 22 of the Code of Alabama of 1940, all of which relate to the inoculation of dogs against rabies.

Also:

By Mr. Selden:

H. 664. To amend Section 260 of Title 13 of the Code of Alabama (1940) which relates to the compensation of Solicitors and Deputy Solicitors.

Also:

By Messrs. Roberson, Brannan, Ward, Butler, Merrill, Reynolds (Madison), Hawkins (DeKalb), Brown, Romine and Baker:

H. 1028. To amend Section XVI, subsections A and B of Act No. 386, approved Aug. 8, 1951, General Acts of 1951.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 444—To the Committee on Public Health.

H. B.'s 664 and 1028—To the Committee on Finance and Taxation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

By Mr. McNider:

H. 610. To provide when standing timber and trees, and cutting rights with respect thereto, shall be chattels and not real property.

R. T. GOODWYN, JR.,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 284. To fix the compensation of court reporters, and providing for the payment thereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Reneau, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 284, the title of which is set out in the foregoing Message from the House.

Amendment to S. B. 284.

Amend S. B. 284 by adding at the end thereof a section to read as follows:

Section 2A. If any part of this Act is declared invalid or unconsti-

tutional by the Courts of the State, such declaration shall not affect the part which remains.

Also:

Amend Section 1 of Senate Bill No. 284 by adding at the end thereof the following:

"Provided, however, the official court reporters of all counties in the state which now have, according to the preliminary figures contained in the federal census of 1950, or which may hereafter have, according to any future federal census, a population of not less than 98,500 nor more than 140,000, shall receive a total salary of forty-eight hundred dollars per annum, twenty-eight hundred dollars of which shall be payable in equal monthly installments by the county out of the general fund of the county as set out above, and two thousand dollars shall be paid in equal installments from the General Fund in the State treasury, as set out above."

Also:

Amend Section 1 of S. B. No. 284 as follows:

1) Strike out the words "forty-eight hundred" and insert in lieu thereof the words "forty-two hundred".

2) Strike out the words "twenty-six hundred" and insert in lieu thereof the words "two thousand".

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Reneau
Andrews	Farmer	Larkins	Robison
Bonner	Faulkner	Locke (Choctaw)	Skidmore
Boutwell	High	Locke (Perry)	Whatley
Byars	Hollis	Phillips	Wright
Clayton	Johnson (Chambers)		

—21

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker Pro Tem of the House having signed the following House Joint Resolutions and House Bill, your signature thereto is requested.

H. J. R. 95. Relative to creating Joint Legislative Committee to study the Public School System of Alabama.

Also:

H. J. R. 123. Designating H. B. 64.

Also:

H. 390. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after

the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 611. To appropriate the sum of Twelve Thousand Five Hundred and no/100ths Dollars (\$12,500.00) for each of the fiscal years 1950-1951 and 1951-1952 from the Alabama Milk Control Board Fund to the Artificial Insemination Unit of the Alabama Polytechnic Institute.

was taken up.

Mr. Whatley offered the following substitute for the Bill, to-wit:

Substitute for S. B. No. 611.

### A BILL TO BE ENTITLED AN ACT

To appropriate twenty-five thousand dollars (\$25,000.00) for the fiscal year ending September 30, 1951 from the Special Educational Trust Fund to the Artificial Insemination Unit of the Alabama Polytechnic Institute.

Be It Enacted by the Legislature of Alabama:

There is hereby appropriated out of the Special Educational Trust Fund the sum of twenty-five thousand dollars (\$25,000.00) for the fiscal year ending September 30, 1951 to the Artificial Insemination Unit of the Alabama Polytechnic Institute.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Reneau
Andrews	Faulkner	Locke (Perry)	Skidmore
Bonner	High	McCary	Sollie
Boutwell	Hollis	Norrell	Whatley
Byars	Johnson (Chambers)	Phillips	Wright
Fant	Larkins		

—21

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Byars	Faulkner	Larkins
Andrews	Clayton	High	Locke (Choctaw)
Bonner	Fant	Hollis	Locke (Perry)
Boutwell	Farmer	Johnson (Chambers)	McCary

Norrell  
Phillips

Quarles  
Robison

Skidmore  
Sollie

Whatley  
Wright

—23

Nays:

—0

### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report with substitute:

H. J. R. 92. Relative to sending four Patrol cars and four motorcycles to the encampment or convention of the American Legion and the Veterans of Foreign Wars.

And the Rules Committee reported the following substitute for the Resolution, to-wit:

#### SUBSTITUTE HOUSE JOINT RESOLUTION NO. 92

WHEREAS, the American Legion and the Veterans of Foreign Wars are the two leading veterans organizations in the State of Alabama, and

WHEREAS, these two organizations represent approximately sixty thousand veterans in the State of Alabama from World War I and II, and

WHEREAS, each year the American Legion and the Veterans of Foreign Wars have National Encampments respectively in two of the countries leading cities and at such encampments or conventions large delegations of their members gather from every State in the Union, D. C., Hawaii, Alaska, Puerto Rica, the Phillipine Islands and most of the cities in this great country of ours and,

WHEREAS, at each encampment or convention of these two great organizations there is a very large parade in which the delegates from all the states and territories, as well as many others participate, such parade being the climax of such encampment or convention, and

WHEREAS, many thousands of people come from far and wide to witness such parades, and

WHEREAS, the various States in the Union take advantage of the same to try to make as impressive a showing as possible, for such State, many sending bands, floats, highway patrol units, etc., in order to advertise such State among the delegates and visitors from other States, and

WHEREAS, it is felt that this is an excellent medium through which to advertise the State of Alabama and its vast resources and opportunities at a minimum of cost, and

WHEREAS, in 1951 each will have their respective encampments or conventions, the V. F. W. Encampment being in New York and the American Legion Convention being in Miami, Florida, in August and October, respectively,

NOW THEREFORE, BE IT HEREBY RESOLVED, by both Houses of the Legislature of Alabama duly assembled, with the concurrence of the Governor of the State of Alabama, that at the respective encampment or convention of each organization mentioned above, viz., the American Legion and the Veterans of Foreign Wars, in 1951, that the State Highway Patrol send two patrol cars and four motorcycles to the encampment or convention of each such organization, and that the Governor of the State of Alabama be respectively requested to order such

Highway Patrol cars and motorcycles to attend such encampment or convention since both will be beyond the borders of the State and such order by him is necessary or required by law and that the expense of sending these motorcycles and patrol cars be charged against the funds of the State Planning Commission of the State of Alabama and/or the Bureau of Records and Reports and/or any other commission, bureau or department of the State of Alabama having money available for such purposes.

Which was adopted.

And said Resolution, as thus amended by the substitute, was then concurred in and adopted by the Senate.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 456. To further provide for the issuance of hunting and fishing licenses. To provide how said licenses shall be issued and by whom. To provide for disposition of the revenue derived from the sale of such licenses. To provide for a fee for the issuance of same. To repeal all laws or parts of laws in conflict herewith and for other purposes.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Reneau
Andrews	Farmer	Locke (Perry)	Robison
Bonner	Faulkner	McCary	Skidmore
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Whatley
Clayton	Johnson (Chambers)	Quarles	Wright
Eddins	Larkins		

—25

Nays:

—0

The Bill:

S. 491. Relating to city treasurers; amending Section 446, Title 37, Code of Alabama (1940).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Larkins	Quarles
Andrews	Fant	Locke (Choctaw)	Reneau
Bonner	Farmer	Locke (Perry)	Robison
Boutwell	Faulkner	McCary	Skidmore
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Phillips	Wright

—23

Nays:

—0

The Bill:

S. 425. To provide for the further protection of fish, To make it unlawful for any person to take, catch, kill or attempt to take, catch or kill

fish at any time by any device or means or by the use of dynamite or other explosives, poison or other deleterious material in any of the private ponds, private lakes, private pools or private reservoirs of this State, without permission of the owner thereof. To provide for penalties for the violation of any of the provisions of this Act. To provide for the disposition of fines, forfeitures and penalties arising from violations of this Act. To repeal Sections 69 and 75, Title 8 of the 1940 Code of Alabama. To repeal all laws in conflict herewith and to provide for the time when this Act shall become effective and for other purposes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Johnson (Chambers)	Quarles
Andrews	Fant	Larkins	Robison
Bonner	Farmer	Locke (Choctaw)	Skidmore
Boutwell	Faulkner	Locke (Perry)	Sollie
Byars	High	McCary	Whatley
Clayton	Hollis	Norrell	Wright

—23

Nays:

—0

The Bill:

S. 571. Creating the office of Deputy Circuit Solicitor in the Sixth Judicial Circuit; providing for his appointment, duties and compensation.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

Finance and Taxation Committee Amendment to Senate Bill No. 571:

Amend Section 3 of Senate Bill No. 571 by striking therefrom the words and figures "forty-eight hundred dollars (\$4800)," and inserting in lieu thereof the words and figures "thirty-six hundred dollars (\$3600)," and further amend said bill by adding thereto the following section, namely Section 3½:

"Section 3½. Such deputy circuit solicitor shall also be paid as additional compensation the sum of twelve hundred dollars (\$1200) per year by Tuscaloosa County from the General Fund of said County, payable as the salaries of county officers are paid."

Which was adopted.

Yeas 19; Nays 2.

Yeas:

Messrs.:	Fant	Larkins	Reneau
Boutwell	Farmer	Locke (Choctaw)	Robison
Byars	Faulkner	McCary	Skidmore
Clayton	High	Norrell	Sollie
Eddins	Hollis	Phillips	Wright

—19

Nays: Messrs. Bonner and Johnson (Chambers)

—2

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.



Yeas 20; Nays 2.

Yeas:

Messrs.:	Fant	Locke ( <i>Choctaw</i> )	Reneau	
Andrews	Farmer	Locke ( <i>Perry</i> )	Robison	
Boutwell	Faulkner	McCary	Skidmore	
Byars	Hollis	Norrell	Sollie	
Clayton	Larkins	Phillips	Wright	
Eddins				—20

Nays: Messrs. Bonner and Johnson (Chambers) —2

The Bill:

S. 56. To fix the salary of the State Health Officer.

Was read a third time at length and lost.

Yeas 8; Nays 10.

Yeas:

Messrs.:	Fant	Hollis	Skidmore	
Boutwell	Faulkner	Larkins	Wright	
Byars				—8

Nays:

Messrs.:	Clayton	Phillips	Robison	
Andrews	Johnson ( <i>Chambers</i> )	Quarles	Sollie	
Bonner	McCary	Reneau		—10

#### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Boutwell, further consideration of Senate Bills 228 and 229 was indefinitely postponed by the Senate.

#### REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

#### COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the Thirty-second Legislative Day approved by the Senate.

#### ADJOURNMENT

At 5:40 P. M., on motion of Mr. Hollis and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, August 28, 1951 at 10 o'clock A. M.

## THIRTY-THIRD LEGISLATIVE DAY

TUESDAY, AUGUST 28, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

## PRAYER

The Session was opened with prayer by Rev. McCoy Guthrie, Pastor, First Methodist Church, Tuscumbia, Alabama.

## ROLL CALL

## Present:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright

—35

## JOURNAL

On motion of Mr. Phillips, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills and Senate Joint Resolution with the Engrossed and Original Bills and Resolution, respectively, and finds same correctly enrolled, to-wit:

S. 137. To amend Section 62 of Title 13 of the Code of 1940 as amended.

Also:

S. 138. To amend Section 57 of Title 13 of the Code of 1940 as amended.

Also:

S. 141. To amend Section 29 of Title 13 of the Code of 1940 as amended.

Also:

S. 143. To amend Section 103 of Title 13, of the Code of 1940 as amended.

Also:

S. 274. Providing for the creation and organization of a Board of Water and Sewer Commissioners by any City in the State; providing for the transfer to such Board of all or any part of any water system or sewer system or both such systems then owned and operated by any such City or by the Water Works Board of any such City and the conditions of any such transfer; providing for the issuance of revenue bonds of such

Board of Water and Sewer Commissioners, payable solely from revenues, to pay all or any part of the cost of acquiring or constructing any water system or sewer system and the cost of improvements, extensions and additions and to refund any bonds or obligations assumed by such Board, without incurring any debt of the City or pledging its faith and credit; providing for a trust agreement to secure any such revenue bonds, without mortgaging any such system or part thereof; authorizing the issuance of revenue refunding bonds of such Board; providing for fixing and collecting by the Board of rates, fees and charges for the use of and for the services furnished by any water system, sewer system or sewage disposal system operated by it, and for the application of such revenues; providing for sewer connections and the enforcement of charges; exempting all properties of the Board and such bonds from taxation; and prescribing the powers and duties of the Board in connection with the foregoing and the rights and remedies of the holders of any such bonds.

Also:

S. 284. To fix the compensation of court reporters, and providing for the payment thereof.

Also:

S. 324. To amend Section 272 of Article 25 of Title 17 of the Code of Alabama of 1940, relating to expenditures of candidates for public or party office.

Also:

S. 338. To amend Section 213 of Title 26, Code 1940, as amended by Act No. 310 of the 1943 Legislature, Act No. 283 of the 1945 Legislature, and Act No. 524 of the 1949 Legislature, relating to unemployment compensation.

Also:

S. 390. To amend Sections 207, 209 and 214, Title 26, 1940 Code of Alabama, as amended, relating to unemployment compensation benefits.

Also:

S. 440. To propose amendments to Sections 272, 273 and 276, Article XV, Constitution of Alabama, pertaining to the organization, equipment, and discipline of the State Military forces; the administering of State military affairs; the appointment, suspension, discharge, removal and compulsory retirement of State military officers and The Adjutant General; and the qualifications of members of the Federally recognized National Guard.

Also:

S. 500. To amend Sections 279, 283, 287 and 289 of Title 26, 1940 Code of Alabama, as amended, relating to Workmen's Compensation.

Also:

S. 501. To impose extra, new, and additional duties upon the State Superintendent of Education and to provide additional compensation for the performance thereof.

Also:

S. J. R. 84. Relative to: Naming Senate Bill 324.

HERBERT B. BYARS,  
Chairman.

## SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

## REPORTS OF COMMITTEES

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clayton:

S. 679. Relating to taxation; to exempt exchanges of cottonseed meal for cottonseed at gins from the sales and use taxes.

By Mr. Romine:

H. 896. To amend Section 4 of Act No. 275, approved July 26, 1951, entitled "An Act regulating the business of selling, distributing, storing or transporting liquefied petroleum gases; To regulate the design, construction, location, installation and operation of containers, tanks, systems and equipment for storing, utilization, handling and transporting liquefied petroleum gases; to create the Alabama Liquefied Petroleum Gas Commission and define its duty and authority; to provide for permits, permit fees and insurance and bond requirements of persons engaged in the businesses defined in this Act; to provide for a minimum amount of storage of liquefied petroleum gas by persons engaged in businesses defined in this Act; to provide penalties for the violation of this Act and any rule, or order promulgated pursuant hereto and to provide for the effective date of this Act", said Act being known as the "Alabama Liquefied Petroleum Gas Act".

By Mr. Morgan (Jefferson):

H. 903. To make an appropriation to the Alabama Alcoholic Beverage Control Board for the operation of the Beer Tax and License Division.

By Messrs. Tennille and Adams (Jefferson):

H. 351. To further provide for the issuance of hunting and fishing licenses. To provide how said licenses shall be issued and by whom. To provide for disposition of the revenue derived from the sale of such licenses. To provide for a fee for the issuance of same. To repeal all laws or parts of laws in conflict herewith and for other purposes.

By Mr. Morgan (Tuscaloosa):

H. 740. To amend Sections (1), (7) and (9), of an Act designated as No. 169, H. 27, General Acts of Alabama 1945, page 285, and entitled "To provide further for conservation of the natural resources of the State by protection of Forest Products and development of the Forestry Program; to levy a privilege tax, to be known as the Forest Products Severance Tax, upon every person engaging in the business of severing timber or other Forest Products from the soil; to fix liability for, and prescribe methods of collecting and enforcing payment of such tax; to require records and reports; to provide for the assessment of the tax and appeals therefrom and exempting certain owners; to require reports from manufacturers, producers and transporters; to define terms and fix penalties for violation; to make appropriation of the proceeds of said tax.", approved June 23, 1945.

By Messrs. Meeks and Kendall:

H. 687. To amend Sections (2), (8), (9), (10), (12), and (14) of an Act designated as No. 590, H. 392, General Acts of Alabama of 1939, page 958, and entitled: "To impose an Excise Tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways: to define the term motor fuel as used herein: to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this Act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this Act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this Act; and to generally provide for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto."; approved June 27, 1940.

By Mr. Shelton:

H. 89. To provide that the State shall reimburse a county either in whole or in part for the expenses incurred in holding and conducting certain elections, and appropriating funds for that purpose.

By Messrs. Meeks, Adams (Jefferson) and Morgan (Jefferson):

H. 817. Relating to criminal sexual psychopathic persons; providing for the commitment and treatment of such persons after their conviction of a sex offense, and prescribing the procedure therefor; and providing for the further disposition of such persons.

By Mr. Harrison (Shelby):

H. 865. To appropriate the sum of \$4,475.00 from any funds in the State Treasury not otherwise appropriated to the State Treasurer's office for the fiscal year ending September 30, 1952, and the sum of \$3,600.00 from any funds in the State Treasury not otherwise appropriated to the State Treasurer's office for the fiscal year ending September 30, 1953.

By Messrs. Meeks and Kendall:

H. 688. An Act to be designated as Section 660 (1) of Title 51, Code of Alabama 1940, as amended, and to provide that it shall be unlawful to use gasoline and other motor fuels in the operation of a motor vehicle over the highways of this State upon which the Excise Tax levied upon said products has not been paid or assumed and to further provide that a violation of this Section shall constitute a misdemeanor punishable by a fine of not less than twenty-five dollars nor more than one hundred dollars, for each violation thereof.

By Messrs. Miller and Bassett:

H. 996. To impose extra, new, and additional duties upon the circuit solicitors of the State of Alabama; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; and to provide for the payment of such additional compensation out of the General Fund of the State of Alabama.

By Mr. Andrews:

S. 678. To establish the Alabama Commission on Intergovernmental Relations; providing for its organization, membership, powers, duties and personnel; providing for the compensation and expenses of its members and the compensation of its personnel; and making an appropriation to carry out the provisions of the Act.

By Messrs. Roberson, Brannan, Ward, Butler, Merrill, Reynolds (Madison), Hawkins (DeKalb), Brown, Romine and Baker:

H. 1028. To amend Section XVI, subsections A and B of Act No. 386, approved Aug. 8, 1951, General Acts of 1951.

By Mr. Selden:

H. 664. To amend Section 260 of Title 13 of the Code of Alabama (1940) which relates to the compensation of Solicitors and Deputy Solicitors.

By Mr. Romine:

H. 248. To amend Act No. 173, H. 311, approved June 23, 1945, which established the State Department of Veterans' Affairs (Acts, 1945, pp. 304-312).

By Mr. Romine:

H. 249. To impose extra, new, and additional duties upon the State Service Commissioner, Department of Veterans' Affairs, and to provide additional compensation for the performance of such duties.

By Mr. Miller:

H. 1016. To make an appropriation to the Alabama Real Estate Commission for each of the fiscal years ending September 30, 1952 and September 30, 1953.

By Mr. Adams (Dale):

H. 589. To make an appropriation to the State Department of Public Welfare of four hundred, sixty-eight thousand, seven hundred, eleven dollars and twenty cents (\$468,711.20) for each of the fiscal years ending September 30, 1952 and September 30, 1953.

By Messrs. Garrett and Merrill:

H. 72. To require the expense of publication of the Governor's proclamation concerning any proposed amendment to the Constitution of Alabama to be paid out of the general fund of the State of Alabama; and to make an appropriation for the payment of the same.

Mr. Wright, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams (Jefferson):

H. 444. To amend Section 107 of Title 22 of the Code of Alabama of 1940; to amend Section 110 of Title 22 of the Code of Alabama of 1940, as amended by Act No. 429 of the Legislature of 1943, approved July 8, 1943, as further amended by Act No. 195 of the Legislature of 1945, approved June 23, 1945; to amend Sections 111 and 113 of Title 22, of the Code of Alabama of 1940, as amended by Act No. 195 of the Legislature of 1945, approved June 23, 1945; and to amend Section 115 of Title 22 of the Code of Alabama of 1940, all of which relate to the inoculation of dogs against rabies.

Mr. Whatley, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Thomason and Tumlin:

H. 1058. To amend Section 363 of Title 37 of the Code of Alabama of 1940 so as to enlarge the powers of cities and towns with respect to waterworks plants and systems.

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Selden:

H. 804. To empower municipalities and other political subdivisions

to promulgate, administer, and enforce air-port zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 92. Relative to convention of Veterans of Foreign Wars and American Legion.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Butler:

H. J. R. 124. BE IT RESOLVED by the House of Representatives, The Senate concurring, that House Bill No. 566 be known as the Butler-Faulkner Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Clayton the Rules were suspended and the Resolution, H. J. R. 124, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

## MOTION TO RECONSIDER

On motion of Mr. McCary, the Senate reconsidered the vote by which the Bill:

S. B. 56. To fix the salary of the State Health Officer. was lost on the last legislative day.

Yeas 20; Nays 10.

Yeas:

Messrs.:	Faulkner	Larkins	Robison
Boutwell	High	McCary	Skidmore
Byars	Hollis	Phillips	Thagard
Clayton	Johnston (Mobile)	Pinson	Whatley
Eddins	Jones	Richardson	Wright
Farmer			

—20

Nays:

Messrs.:	Johnson (Chambers)	Norrell	Sollie
Andrews	Locke (Choctaw)	Quarles	Todd
Bonner	Locke (Perry)	Reneau	

—10

## BILLS ON THIRD READING

The Bill:

S. 668. To provide for the Statute of Limitations of three years in which to assess Sales Tax levied under Article 10, Chapter 20, Title 51, Code of Alabama 1940, after same becomes in default; the tolling of the Statute of Limitations; the severability of the Act; the repeal of laws in conflict herewith; and the effective date of this Act.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

## SUBSTITUTE FOR S. B. 668

A BILL  
TO BE ENTITLED  
AN ACT

To provide that no assessment shall be made against any person for sales tax which became due more than three years prior to the date the Department of Revenue commenced an audit of the books of such person to ascertain the amount due, or, if no audit is made, prior to the date the Department mailed written demand therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. No assessment shall be made by the Department of Revenue against any person, firm or corporation for any tax which became due from such person, firm, or corporation under the provisions of Article 10, Chapter 20, Title 51, Code of Alabama (1940) more than three years prior to the date the Department commenced an audit of the books or records of such person, firm, or corporation to ascertain the amount due, or, if no audit is made, prior to the date the Department mailed written demand for the amount claimed to be due from such person, firm, or corporation.

Section 2. All laws or parts of laws in conflict with this Act are repealed.

Section 3. This Act shall not apply to any assessment already made and shall become effective upon the first day of the month next after its passage and approval by the Governor, or its otherwise becoming a law.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Smith
Bonner	High	McCary	Sollie
Boutwell	Hollis	Norrell	Thagard
Byars	Johnson (Chambers)	Phillips	Todd
Clayton	Johnston (Mobile)	Quarles	Whatley
Eddins	Jones	Reneau	

—30

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.



Yeas 28; Nays 0.

Yeas:

Messrs.:	Faulkner	Larkins	Reneau
Andrews	Foster	Locke (Choctaw)	Richardson
Benson	High	Locke (Perry)	Robison
Bonner	Hollis	McCary	Smith
Boutwell	Johnson (Chambers)	Norrell	Sollie
Clayton	Johnston (Mobile)	Pinson	Todd
Eddins	Jones	Quarles	Whately
Farmer			—28

Nays:

—0

The Bill:

H. 986. To amend Section 1 of Act No. 128 of the regular session of the Legislature of Alabama of 1949, approved June 23, 1949, entitled "AN ACT To provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this State as to doing business herein shall be deemed to have appointed the Secretary of State, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served; and for other purposes" and to provide to what proceedings this Act is applicable.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Richardson
Benson	Foster	Locke (Perry)	Robison
Boutwell	High	Norrell	Skidmore
Byars	Hollis	Phillips	Sollie
Clayton	Johnston (Mobile)	Pinson	Todd
Eddins	Jones	Quarles	Wright
Farmer	Larkins	Reneau	—26

Nays:

—0

The Bill:

S. 671. To amend Act No. 49, General Acts of Alabama 1947, approved 1 July 1947.

was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

Amend S. B. 671 by adding "Section 4" in Section 1 of the act as follows:

"Section 4. Nothing in this section shall be construed to apply to shrimp which are used solely as bait."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Boutwell	Eddins	Foster
Andrews	Byars	Farmer	High
Benson	Clayton	Faulkner	Hollis

Johnston ( <i>Mobile</i> )	McCary	Reneau	Smith
Jones	Phillips	Richardson	Sollie
Larkins	Pinson	Robison	Todd
Locke ( <i>Choctaw</i> )	Quarles	Skidmore	Wright
Locke ( <i>Perry</i> )			

—28

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

*Yeas:*

Messrs.:	Farmer	Locke ( <i>Choctaw</i> )	Richardson
Andrews	Faulkner	Locke ( <i>Perry</i> )	Skidmore
Benson	Foster	McCary	Smith
Bonner	High	Norrell	Sollie
Byars	Hollis	Pinson	Todd
Clayton	Johnston ( <i>Mobile</i> )	Quarles	Whatley
Eddins	Jones	Reneau	Wright

—27

*Nays:*

—0

The Bill:

S. 649. To make appropriations for the use of the Trade School at Jacksonville, Calhoun County.

was read a third time at length and lost.

Yeas 13; Nays 17.

*Yeas:*

Messrs.:	Locke ( <i>Choctaw</i> )	Pinson	Smith
Clayton	Locke ( <i>Perry</i> )	Quarles	Todd
Johnson ( <i>Chambers</i> )	McCary	Reneau	Wright
Larkins	Phillips		

—13

*Nays:*

Messrs.:	Faulkner	Johnston ( <i>Mobile</i> )	Skidmore
Benson	Foster	Jones	Sollie
Boutwell	Golson	Norrell	Thagard
Byars	High	Robison	Whatley
Eddins	Hollis		

—17

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 628. To amend Sections five, eight and eleven of an Act entitled An Act, to abolish the Board of Revenue of Baldwin County, Alabama to establish in lieu thereof a Commission form of Government for such County to consist of a Commission of four members and to be a Court of Record and to be known as the County Commission; to provide for the designation, appointment and election of the members thereof and prescribe and limit their duties, powers, jurisdiction, authority and privileges; and to authorize and direct them to distribute the duties, powers, jurisdiction, authority and privileges of such County Commission into four divisions as follows: First, Chairman and Purchasing Division;

Second, Road and Bridge Division; Third, Finance and Taxation Division; Fourth, Industrial and Civic Division; to fix the qualification of the members of such Commission, their term of office and their compensation; and to divide the County of Baldwin into Four Commission Districts, and to provide that members of such County Commission be designated, appointed or elected, one from each of said Commission Districts, Approved May 29, 1931, Local Acts 1931, pages 100 et seq.

Also:

S. 609. To amend Section 5 of an Act approved December 17, 1894, entitled "An Act To establish a Board of Revenue of Lowndes County, Alabama and define the powers and duties of said Board of Revenue."

Also:

S. 632. To amend Section 478, Title 62 of the Code of Alabama of 1940.

Also:

S. 633. To provide that all persons who contribute to the Municipal Employees Pension Fund of the City of Mobile provided by Sections 465 through 491, Title 62, Code of 1940 and who have contributed to such funds for at least one full year, shall, upon their voluntary or involuntary separation from employment under circumstances other than circumstances entitling them to benefits, be entitled to repayment from the pension and retirement of amounts contributed by such person to the fund after the date of passage of this Act.

Also:

S. 630. To amend Section 477, Title 62, Code of Alabama of 1940.

Also:

S. 629. To amend Section 467, Title 62 of the Code of Alabama of 1940.

Also:

S. 631. To amend Section 476, Title 62 of the Code of Alabama of 1940.

Also:

S. 622. To authorize all cities or towns in the State of Alabama, having a population of 78,500 and not more than 200,000 according to the last or any subsequent Federal Census to make any compromise or settlement of any paving assessment or bill for past due tax on the paving of streets, boulevards or highways adjoining any property owned by any person, firm or corporation within the city limits of such city for such amount and on such terms as in the judgment of the city commission or other governing body may be deemed proper.

Also:

S. 623. To authorize all cities which now have or which may in the future have a population of not less than 78,500 and not more than 250,000 according to the last or any subsequent Federal Census, to use a portion of license taxes from fire insurance companies, and from general license taxes collected, certain percentages sufficient to pay Policemen's and Firemen's Pensions that have been granted and which should be paid out of Pension and Relief Funds set up for them.

Also:

S. 625. Providing that in all cities in the State having a population of not less than seventy eight thousand five hundred and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

Also:

S. 626. To create in all cities in the State of Alabama having a population of not less than seventy-eight thousand five hundred and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as "Policemen's and Firemen's Pension and Relief Funds" to provide for the setting apart of such funds, to create a Pension and Relief System applicable to the members of the Police and Fire Departments in said cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise: to provide payments for disabled members of the Police and Fire Departments in said cities during their disability, and for the retirement of such members on pension either by reason of term of office or disability; to provide for the pensioning of members of such Police and Fire Departments after service therein; to provide for the appropriation for funeral expenses upon the death of such member: to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds, and for the appointment of trustees and a board of pensions for all purposes in connection herewith; to provide penalties for violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Also:

S. 621. To create in all cities in the State of Alabama, having a population of not less than seventy-eight thousand five hundred and not more than two hundred fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as "Municipal Employees Pension and Relief Funds;" to provide for the setting apart of such funds; to create a pension and relief system applicable to all municipal employees in such cities, except policemen and firemen; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to pro-

vide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a capitol board of pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Morgan (Tuscaloosa):

H. 1109. To fix the compensation of certain county officers in counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

Also:

By Messrs. Bassett and Belcher:

H. 1095. To amend an Act entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his district and to fix the salary and compensation of said commissioners", approved October 19th, 1932 as amended by Act No. 295, approved June 28th, 1943, and to impose additional duties upon the County Commissioners of Pike County, ex officio.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage and enactment of a bill substantially as follows: to-wit:

### A BILL TO BE ENTITLED AN ACT

To amend an Act entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his district and to fix the salary and compensation of said commissioners", approved October 19th, 1932 as amended by Act No. 295, approved June 28th, 1943, and to impose additional duties upon the County Commissioners of Pike County, ex officio.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Act of the Legislature of Alabama approved

October 19th, 1932 entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his district and to fix the salary and compensation of said commissioners", as amended by Act. No. 295, approved June 28th, 1943, be amended so as to read as follows:

"Section 1. That each member of the Court of County Commissioners of Pike County, except the Probate Judge, in addition to the performance of other duties now or hereafter imposed by law, shall have supervision of and shall be responsible to the Court of County Commissioners for the construction, maintenance and upkeep of the county roads and bridges in his Commissioner's district, and shall make personal inspection of all work under construction in his district and shall inspect and approve all reports of overseers in his district, and the Probate Judge shall assist said Commissioners in the performance of their duties to such extent as shall be necessary. The several county commissioners of Pike County shall be ex officio, district forest wardens for their respective districts and each of them shall have the special duty of investigating and reporting, for his district, violations of Chapter 4, of Title 8, Code of Alabama (1940). That regular terms of the Court of County Commissioners of Pike County shall be held on the first, second, third and fourth Wednesdays in each month of each year, instead of being held on the second Mondays of each month.

Section 2. That each member of the Court of County Commissioners of Pike County, except the Probate Judge, shall present to the Court of County Commissioners each month a written report, which report shall show the roads and bridges inspected by him during the month, together with the condition of such roads and bridges and his recommendations concerning the same and which shall further show due diligence on the part of such commissioner in the performance of his duties, which report must be approved by the Court of County Commissioners before such commissioner shall be entitled to receive his salary for the month covered by said report.

Section 3. That the members of the Court of County Commissioners of Pike County, Alabama shall receive such salary as may be from time to time provided by the general laws of Alabama.

Section 4. That all laws and parts of law in conflict with the provisions of this act are repealed."

Section 2. That all laws and parts of laws in conflict with the provisions of this act are repealed.

Section 3. That this act shall take effect and become operative on the first day of the month next succeeding its passage and approved by the Governor, or of its otherwise becoming a law.

5-10-1taw4t

#### STATE OF ALABAMA PIKE COUNTY

Before me, Martha Jordan, a Notary Public in and for said County and State, personally appeared William E. Wilkes who is known to me and who being by me first duly sworn on oath says that he is Editor of The Troy Messenger, a newspaper of general circulation, published in the City of Troy, Pike County, Alabama and that the notice, a true copy of which appears hereinabove, was published without cost to the State of Alabama once a week for four consecutive weeks in said newspaper and appeared in the issues of said newspaper on the following dates: May 10, 1951, May 17, 1951, May 24, 1951 and May 31, 1951.

WILLIAM E. WILKES,  
Editor, The Troy Messenger.

Sworn to and subscribed before me this 6th day of June, 1951.

MARTHA JORDAN,  
Notary Public.

Also:

By Messrs. Sellers, Hall, Tennille, and Dawkins:

H. 1082. To provide for and prescribe the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census.

Also:

By Messrs. Fite (Walker) and Black:

H. 1086. To amend Section 187 of Title 13 of the Code of Alabama, 1940, as amended, which relates to bailiffs.

Also:

By Mr. Burkhalter:

H. 1076. To amend an Act No. 162, S-210 Cobb Local Acts of Alabama 1943 page 78 approved June 17, 1943 entitled: AN ACT: To fix the salary of the Probate Judge of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Circuit Court of Cherokee County, the Deputy Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his Deputies and to provide for Clerical Assistance and other expenses of said officers of Probate Judge and Sheriff; To require each of said officers to collect all the fees, compensations and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same unto the County Treasurer on or before the fifth day of each month, and to provide for the payment of the salary of clerical assistance and other office expense by the Treasurer of the County.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

It is proposed to introduce and ask for passage of the following Local Bill applicable to Cherokee County, Alabama, at the 1951 Session of the Legislature of the State of Alabama, which convenes at the Capitol at Montgomery, Alabama, on the 1st day of May, 1951.

#### A BILL TO BE ENTITLED AN ACT

To amend an Act No. 162, S-210 Cobb Local Acts of Alabama 1943 Page 78 approved June 17, 1943 entitled:

#### AN ACT

To fix the salary of the Probate Judge of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Circuit Court of Cherokee County, the Deputy Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his Deputies and to provide for Clerical Assistance and other expenses of said officers of Probate Judge and Sheriff: To require each of said officers to collect all the fees, compensations and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same unto the County Treasurer on or before the fifth day of each month, and to provide for the payment

of the salary of clerical assistance and other office expense by the Treasurer of the County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. THAT AN ACT ENTITLED AN ACT:

"To fix the salary of the Judge of Probate of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Circuit Court of Cherokee County, the Register of Chancery of Cherokee County, the Deputy Solicitor of Cherokee County, the Sheriff of Cherokee County, to provide for his Deputies and to Provide for Clerical Assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances, heretofore collected by said officers, and which may hereafter be collected by said officers and cover the same into the County Treasury on or before the fifth day of each month, and to provide for the payment of the salary of Clerical Assistance and other office expenses by the Treasurer of the County."

Be and the same is hereby amended by repealing and striking from said Act, Section Three of said Act, and substituting therefor the following:

SECTION 3. The Board of Revenue or like governing body of Cherokee County shall provide each of said officers named in Section 1, of this Act, with the necessary offices, books, stationery, office equipment, supplies, files, furniture, typewriters, adding machines, postage and other conveniences and equipment necessary for the proper and efficient conducting and handling of the affairs of said office. The Board of Revenue or other like governing body shall provide additional clerical help as they deem necessary for the proper and efficient operation of the offices named in Section one of this Act but the total compensation of all such clerks shall not exceed Twelve Hundred (\$1200.00) Dollars per annum. The Board of Revenue or other like governing body shall provide the Sheriff with gasoline and motor oil and automobile expense for transportation, in the enforcement of the laws of the State and the proper and efficient conduct of his office, in the sum not to exceed Twenty One Hundred (\$2100.00) Dollars per annum, to be paid by properly receipted bills and vouchers presented for payment each month.

SECTION 4. That if for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, then that fact shall not destroy the constitutionality of this Act except as to that Clause or section.

SECTION 5. That all Laws, both Local and General, in conflict with this Act, be and the same are hereby repealed.

SECTION 6. This act shall become effective immediately upon its passage and approval by the Governor.

J. B. BURKHALTER,

Member House of Representatives for Cherokee County, Ala.

July 20-27 Aug. 3-10

STATE OF ALABAMA  
CHEROKEE COUNTY

Before me, Fred H. Norton, Judge of Probate, in and for said County and State, this day personally appeared John. B. Shropshire, who being by me first duly sworn deposes and says, that he is the publisher of the



Coosa River News, a newspaper published in Centre, Cherokee County, Alabama; that the above and foregoing notice was published once a week for four consecutive weeks in the Coosa River News on to-wit;

July 20th 1951, July 27th 1951, August 3rd 1951 and August 10, 1951. Without cost to the State of Alabama.

J. B. SHROPSHIRE,  
Publisher.

Sworn to and subscribed before me on this the 20th day of August, 1951.

F. H. NORTON,  
Judge of Probate, Cherokee County, Alabama.

My commission expires January 1953.

Also:

By Messrs. Payne and Leonard:

H. 1077. To create and establish in Talladega County, in lieu of the county court and the juvenile court and the inferior court of Talladega County, Alabama, a court with county-wide jurisdiction of criminal cases, civil actions at law, and of juvenile cases, said court to be known as the Intermediate Court of Talladega County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges, commissions collected therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Talladega County and the Inferior Court of Talladega, Alabama; and providing for the transfer and trial of cases pending in the County Court and Juvenile Court of said County and the Inferior Court of Talladega, Alabama, at the time this Act takes effect, to the Intermediate Court of Talladega County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### STATE OF ALABAMA TALLADEGA COUNTY

Notice is hereby given that the following bill will be introduced and passed at the 1951 Session of the Legislature of Alabama.

#### AN ACT

To create and establish in Talladega County, in lieu of the county court and the juvenile court and the inferior court of Talladega County, Alabama, a court with county-wide jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Intermediate Court of Talladega County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges, commissions collected therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Talladega County and the Inferior Court of Talladega, Alabama; and providing for the transfer and trial of cases pending in the County Court and Juvenile Court of said County and

the Inferior Court of Talladega, Alabama, at the time this Act takes effect, to the Intermediate Court of Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

**Section 1. Intermediate Court Created.** There is hereby established in Talladega County a court with county-wide limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the "Intermediate Court of Talladega County, Alabama." It shall be in lieu of the county court and the juvenile court of said county, and the Inferior Court of Talladega, Alabama, which are hereby abolished, and shall have exclusive jurisdiction of all matters heretofore adjudged by said courts.

**Section 2, jurisdiction.** (a) Except as provided in Sub-section (b) following the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases (including bastardy proceedings) actions for unlawful detainer and for the recovery of possession of land except action in ejectment or actions in the nature of actions in ejectment; cognizable before a county court, or a juvenile court, or justices of the peace or courts created in lieu thereof, and all courts of like jurisdictions. It shall have authority to punish contempts by fine not exceeding fifty dollars (\$50.00) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds three hundred dollars (\$300), nor take cognizance of any matter or proceeding in equity.

**Section 3. Judge.** (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1952, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Talladega County, learned in the law and licensed to practice law in this State. Neither the judge nor his partner shall practice law in any criminal case or juvenile case in any court in Talladega County, nor shall they appear as counsel in any case in Talladega County, Alabama, in which the amount involved is \$300.00 or less exclusive of interest, and the judge shall be subjected to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(c) The Judge shall receive an annual salary of \$3600.00, payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(d) The judge shall have authority to: (1) Administer oaths and take acknowledgments; (2) issue search warrants; (3) exercise such other powers, jurisdiction, or authority as may be conferred by law upon judges of Juvenile and county courts and justices of the peace, including that of magistrates on preliminary examinations.

e) The judge shall keep an office in the county courthouse, or such

other place as may be provided by the governing body of the county. His office shall be suitably equipped, furnished, and provided at the expense of the county with such office supplies and stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court.

(f) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

Section 4. Sessions. (a) The Inferior Court of Talladega County, Alabama, shall be open for the transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at the county courthouse. Regular sessions for the trial of criminal cases shall be held on the first Monday in each month. On the first Tuesday after the first Monday and the first Tuesday after the third Monday in each month there shall be a session of said court and a call of the docket of said court for the handling, trial and disposing of civil cases. Special sessions may be held at such times as the judge shall designate in orders spread upon the minutes. Sessions may continue so long as may be necessary for the court to complete its business. The judge may fix reasonable hours for the holding of court.

(c) The sheriff shall attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court.

Section 5. Practice and Procedure. (a) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice procedure and process governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within ten days, and the process issued shall so recite.

Section 6. Juries. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 7. Costs. (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulation as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00), the same as in justice courts; (2) in every other civil action at law, the same as in the circuit court; (3) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in justice courts; (4) in every other criminal case, the same as in county courts, including fees as provided by Sections 86 and 87 of Title 11 of Code 1940, except that fees for cases provided for hereinafter under Section 6 (b) the fees shall be as there stated.

(c) A trial tax of one dollar (\$1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00). In every other civil action at law, and in every criminal case, a trial tax of two dollars (\$2.00) shall be collected for the use of the county.

(d) No costs shall be taxes in juvenile cases.

Section 8. Criminal Prosecutions. (a) Prosecutions may be commenced in such courts upon the sworn complaint made to the judge of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by Code of Alabama 1940, Title 13, Section 327, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued in Talladega County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama 1940, Title 36, shall be returnable to the Intermediate Court of Talladega County, Alabama, and shall be there tried. Except as to the trial tax herein provided, the court costs in such cases shall be the same as in the courts of justices of the peace.

(c) Solicitor. The solicitor in Talladega County shall be the Solicitor of the Intermediate Court of Talladega County, and without additional compensation shall attend all sessions of said court and do and perform all duties of a solicitor therein, and in addition shall attend and represent the state at all preliminary hearings therein, and shall do and perform all duties required of a solicitor by the laws of Alabama.

Section 9. Appeals and Certiorari. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided. 1. If the case is a civil case, the appeal or certiorari lies to the circuit court of Talladega County and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, where the trial shall be de novo with trial by jury where demanded by either party as provided by Code 1940, Title 7, Section 264. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed one hundred dollars (\$100.00) the issues shall be made up as provided by Code 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the regular rules of pleading and practice in the circuit court. 2. If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the 1940 Code. 3. In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code 1940, Title 15, Section 320.

Section 10. Judgments. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. (a) The circuit clerk of Talladega County shall be the clerk of the court herein established. The governing body of the county shall furnish, at county expense, such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal which shall be the official seal adopted by the court. Before entering upon the performance of his duties as clerk of the In-

intermediate Court of Talladega County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writ, executions, commitments and releases; (3) to approve bonds in civil and criminal cases including appeal bonds; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter, conferred on clerks of county courts.

Section 12. Transfer of Pending Cases. All cases and actions pending in the county court, in the juvenile court. and in the Inferior Court of Talladega, Alabama, on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the said courts, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 13. Severability. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. All moneys received as fines or costs under this Act shall be paid into the County Treasury monthly, except as otherwise specifically provided by law.

Section 15. Repealer. All laws in conflict with this Act are repealed to the extent of the conflict.

Section 16. Effective Date. This Act shall become effective upon the first day of the term of the first judge of the court herein created elected as hereinabove provided.

23-30-A 6-13

#### STATE OF ALABAMA TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Ila G. Davis, who being duly sworn according to law, deposes and says that she is B'kpr of the Talladega Daily Home, Inc., a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: July 30 1951, Aug 7 1951, Aug. 13 1951, Aug 20 1951.

ILA G. DAVIS.

Subscribed and sworn to before me this 20th day of August 1951.

ALICE D. WASHAM,  
Notary Public.

Also:

By Mr. Hawkins (DeKalb):

H. 1078. To amend An Act entitled An Act "To transfer the Juvenile Court of DeKalb County, Alabama from the Probate Court of said county to the DeKalb County Court of said county and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support; to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said

county; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court, and to allow the Deputy Solicitor of said county \$50.00 per month additional compensation for his attendance and prosecution in said court." Approved August 16, 1949, Act No. 403, Page 575, 1949, General And Local Acts.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given of intention to apply to the present regular session of the Legislature of Alabama for enactment of the following local Law, the provisions of which shall be effective in DeKalb County only. The substance of said local law is as hereinafter set out:

#### A BILL TO BE ENTITLED AN ACT

To amend An Act entitled An Act "To transfer the Juvenile Court of DeKalb County, Alabama, from the Probate Court of said County to the DeKalb County Court of said County and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support; to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said County; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court and to allow the Deputy Solicitor of said County \$50.00 per month additional compensation for his attendance and prosecution in said court." Approved August 16, 1949, Act No. 403, Page 575, 1949, General and Local Acts.

Be It Enacted by the Legislature of Alabama:

That An Act entitled An Act "To transfer the Juvenile Court of DeKalb County, Alabama, from the Probate Court of said County to the DeKalb County Court of said County and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support; to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said county; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court, and to allow the Deputy Solicitor of said county \$50.00 per month additional compensation for his attendance and prosecution in said court" Approved August 16, 1949, Act No. 403, Page 575, 1949 General and Local Acts, be and same is hereby amended to read as follows:

Section 1. Section 2 of said Act be amended to read as follows: "Section 2. The DeKalb County Court shall have exclusive jurisdiction over children and the Judge of the DeKalb County Court shall be Judge of the Juvenile Court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the DeKalb County Court of all Juvenile Matters and Juvenile jurisdiction in DeKalb County, Alabama, as now provided under Title 13, Chapter 7, Section 350 to 383, both inclusive, of the Code of Alabama 1940. Any party aggrieved shall have the right to appeal to the Circuit Court of said County as provided by Section 362 of Title 13, Code of Alabama 1940 or as said section may be hereafter amended."

Section 2. Section 3 of said Act be amended to read as follows:

"Section 3. That the DeKalb County Court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Section 89 to 104, both inclusive, of the Code of Alabama 1940 or as hereafter amended, which Article 3 is entitled desertion and non-support. That

the trial of such cases shall be by the Court without a jury. The defendant shall have the right to appeal to the Circuit Court of DeKalb County as provided by Section 95, Code of Alabama, 1940, or as said Section may be hereafter amended.

Section 3. Be it further enacted that if any section or provision of this Act shall be declared unconstitutional it shall not affect or destroy the validity or constitutionality of any other section or provision herein which is not in and of itself unconstitutional.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. (7-18-4t)

STATE OF ALABAMA  
DEKALB COUNTY

Before me, the undersigned authority in and for said County and State, this day personally appeared E. O. Davidson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner and publisher of The Fort Payne Journal, a newspaper of general circulation, published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 18, July 25, August 1 and August 8, 1951.

E. O. DAVIDSON.

Sworn to and subscribed before me this August 18, 1951.

C. A. WOLFES,  
Notary Public.

Also:

By Messrs. Dawkins, Hall, Sellers and Tennille:

H. 1080. To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONTGOMERY

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, is amended to read as follows:

"Section 1. That the County of Montgomery is hereby divided into three revenue districts to be known as northern, southeastern and southwestern. The northern district shall be composed of and include the city

of Montgomery and the territory now embraced in precincts known as Dooley's (8), McGehee's (9), Old Elam (18), Kendall's (19), Walker's (20), Mt. Meigs (21), Snowdown (22), and Cloverdale (23). The Southeastern district shall be composed of and include the territory now embraced in precincts known as Porter's (12), Pike Road (17), Pine Level (13) and Dublin (14). The southwestern district shall be composed of and include the territory now embraced in precincts known as Kellough's (10), Robinson Cross Roads (11), Tucker's (15) and Union Academy (16)."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 26, Aug. 2-9-16, 1951.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Clint McCarty, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Montgomery Examiner, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, Aug. 2, Aug. 9, and Aug. 16, all in the year 1951.

CLINT McCARTY,

Sworn to and subscribed before me August 20th, 1951.

LUCILLE RAFFELS,  
Notary Public.

Also:

By Messrs. Sellers, Hall, Tennille and Dawkins:

H. 1083. To amend Section 546 of Title 62 of the Code of Alabama of 1940 which relates to firemen's pension and relief fund.

Also:

By Messrs. Sellers, Hall, Tennille and Dawkins:

H. 1084. To amend Section 19 of Act 781, approved September 28, 1915, as said act is amended by Act 131, approved February 17, 1919, which relates to firemen's pension and relief fund.

Also:

By Messrs. Cole and Brassell:

H. 1088. To repeal Section 4 of an Act approved May 28, 1943.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature in its General Session in 1951 for the passage of the following Local Act:

#### AN ACT

Entitled an Act to repeal Section 4 of an Act approved May 28, 1943.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 4 of Act approved May 28, 1943, requiring



the Chief Clerk in the office of the Judge of Probate of Russell County to enter into bond in the sum of Twenty-five Hundred Dollars, be and the same is hereby repealed.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

COLE AND BRASSELL,  
Representatives, Russell County, Alabama.

27-3-10-17—4T.

### AFFIDAVIT

THE STATE OF ALABAMA  
RUSSELL COUNTY

Before me Jack L. Kinney, a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on July 27-August 3-August 10-August 17, 1951. An Act—Entitled an Act to repeal Section 4 of an Act approved May 28, 1943.

HAROLD E. POOR, SR. (Seal)

Sworn to and subscribed before me, this 18th day of Aug., 1951.

JACK L. KINNEY, N. P.

Also:

By Messrs. Solomon and Mathison:

H. 1099. Relating to Henry County: To authorize the governing body of Henry County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the county.

With notice and proof thereto attached and herewith exhibited as follows:

### ORDER OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HENRY

Notice is hereby given that at the 1951 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

Relating to Henry County: To authorize and direct the governing body of Henry County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the County.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Henry County is authorized and directed to pay out of the county treasury the salaries of a clerk for the Tax assessor and a clerk for the Tax Collector, to be appointed by the Tax Assessor and Tax Collector, who shall also fix each of their salaries at not more than one hundred (\$900.00) per annum.

Section 2. This Act shall become effective immediately upon its passage and approved by the Governor, or upon its otherwise becoming a law.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
HENRY COUNTY

Before me, Alliegene E. Farmer, a Notary Public in and for said County, in said State, personally appeared J. Edward Dodd, who is known to me, and who by me being duly sworn, deposes and says that he is the Publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for 4 consecutive weeks, on, to-wit:

July 26, 1951

August 2, 1951

August 9, 1951

August 16, 1951

THE ABBEVILLE HERALD.  
By J. EDWARD DODD.

Sworn to and subscribed before me, this 20 day of August, 1951.

ALLIEGENE E. FARMER,  
Notary Public, State of Alabama at Large.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1109, 1095, 1082, 1086, 1076, 1077, 1078, 1080, 1083, 1084, 1088, and 1099—To the Committee on Local Legislation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 638. To propose and provide for the submission of or amendment to the Constitution of Alabama; to validate certain local acts relative to Marion County, Alabama.

Also:

S. 636. Relating to counties having populations of not less than 28,900 nor more than 29,200 inhabitants; authorizing and directing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 617. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; increasing the jurisdiction of the inferior court of such counties and providing additional compensation for the judge thereof for the performance of the additional duties resulting from such increased jurisdiction.

Also:

S. 572. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payments of such additional compensation by Tuscaloosa County.

Also:

S. 619. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Chambers County, empowering the governing body of said County to levy and collect, for a period not exceeding twelve years, a special ad valorem tax on real and tangible personal property only, within said County, the proceeds of such tax to be used solely for acquiring, constructing and equipping public school buildings within said County, for paying the principal of and interest on bonds which may be hereafter issued by said County under the provisions of said proposed amendment, and for the redemption of said bonds, and providing for a county-wide election to authorize the levy of said tax, and providing for the issuance and sale of tax anticipation bonds of said County not constituting general obligations of said County.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 615. To define, regulate and license barbers and barber colleges, and other like businesses within the incorporated municipalities in Calhoun County, Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the Bill, to-wit:

#### SUBSTITUTE FOR H. B. 615

#### A BILL TO BE ENTITLED AN ACT

To define, regulate and license barbers and barber colleges, and other like businesses within the corporate limits and police jurisdiction of the incorporated municipalities in Calhoun County, Alabama; and create a Barbers' Commission for said county; and to fix the powers and duties of said Commission; and to prescribe penalties for violations hereof.

Be It Enacted by the Legislature of Alabama:

Section 1. That after the passage of this Act it shall be unlawful for any person, co-partnership, association or corporation to act as a barber,

operate a barber college, barber shop or other like business, to advertise or assume to act as such within the corporate limits or police jurisdiction of any incorporated municipality in Calhoun County without a license issued by the Barbers' Commission of Calhoun County, Alabama. No co-partnership, association or corporation shall be granted a license, unless every member or officer of said co-partnership, association or corporation, who actively engages in the barber business, barber college or like business of such co-partnership, association or corporation, shall hold a license as a barber as hereinafter provided for.

Section 2. A barber, barbershop, barber college, or other like business within the meaning of this Act is any person, firm, partnership, co-partnership, association or corporation, who, for a valuable consideration or hire, shaves or trims the beard; gives facial or scalp massages, or treats the same with oils or other preparations, singes, shampoos, cuts or dyes, the hair of a human being or applies hair tonic or other cosmetic preparations, clays or lotions to the scalp, neck, or face, or engages in the teaching of any person or persons in the art of barbering as in this paragraph defined. Provided, however, the provisions of this Act shall not apply to (1) persons engaged in the practice of medicine, surgery or beauty culture, (2) persons actively engaged in the military service of the United States Government while acting in line of duty, (3) registered nurses in the course of their employment as such, (4) persons who render any of said services to members of their immediate families, (5) any barber shop, barber college or barber school operated by a city or county board of education or any State institution.

Section 3. There is hereby created a Barbers' Commission for Calhoun County, Alabama. The Commission shall be composed of the county health officer and three barbers possessing the qualifications and appointed in the manner hereinafter prescribed. The first three barber members of the Commission shall be appointed by the Governor alone; one shall be appointed for a term of two years, one for a term of three years and one for a term of four years, and until their successors are appointed and qualify. The successors of the first three appointed members shall be appointed for terms of four years and until their successors are appointed and qualify, and shall be appointed in the following manner: prior to the expiration of the term of any member, the Commission shall call a public meeting of all barbers licensed under this Act and shall give written notice thereof to each such barber at least five days in advance of the date of the meeting; at such meeting the barbers shall nominate three barbers for appointment to the Commission to succeed the member whose term is about to expire; the names of the three barbers nominated shall be transmitted by the Commission to the Governor and he shall appoint one of them to the Commission. Members of the Commission shall be eligible to nomination to succeed themselves. To be eligible for nomination and appointment to the Commission, either as an original or successor member, a barber must have been engaged in barbering in Calhoun County for three years immediately prior to the date of his appointment. Vacancies on the Commission shall be filled for the unexpired term by the remaining members of the Commission. The Commission, immediately upon the appointment by the Governor of each new member and his qualification, shall organize by selecting from among its number a Chairman and a Secretary-Treasurer, and may do all things necessary or convenient for carrying into effect the provisions of this Act. Each member of the Commission shall receive as full compensation for each day actually spent in the work of said Commission his actual and necessary expenses thereby incurred. The Commission may appoint, and at its pleasure discharge, such assistants as may be necessary to discharge the duties imposed by the provisions of this Act. The Secretary-Treasurer shall be required to enter into a bond to be approved by the Commission in the sum of not less than five hundred dollars (\$500), conditioned to pay any shortage or loss of funds on hand

by said Secretary-Treasurer during his term of office or at the time he is holding office. Each appointed member of the Commission shall enter into a bond to be approved by the Probate Judge of Calhoun County in the sum of not less than one thousand dollars (\$1,000), conditioned upon the faithful performance of the duties of his office. The premiums on all bonds required to be made herein shall be paid out of the funds of the Commission. The Commission shall prescribe the duties and fix the compensation of the Secretary-Treasurer. The governing body of Calhoun County shall furnish the Commission with office space, furnishings, supplies, equipment and other proper conveniences necessary for carrying out the provisions of this Act, and shall charge the expenses thereof solely against the Commission's fund in the County treasury. The Commission shall adopt a seal with such design as it may prescribe engraved thereon, by which it shall authenticate its proceedings. Copies of all records and papers in the office of the Commission duly certified and authenticated by its seal shall be received in evidence in all courts with like effect as the original. All records kept in the office of the Commission under authority of this Act shall be open to public inspection under such rules and regulations as shall be prescribed by the Commission. All fees and charges payable under this Act shall be paid to the Secretary-Treasurer who shall forthwith pay them into the County treasury where they shall be kept in a separate fund to the credit and for the use of the Commission. Funds may be disbursed in the same manner as other county funds upon the written request of the Commission to the governing body of the County. In no case shall any of the expenses of the Commission be payable from any funds other than those of the Commission.

Section 4. Licenses shall be granted only to persons of good moral character, who have an elementary school education, or its equivalent in the judgment of the Commission, and shall be at least 18 years of age, and a resident of the State of Alabama for a period of one year immediately prior to his application, and have practiced as an apprentice for a period of at least one year and pass a satisfactory examination conducted by the Commission. Provided, however, any person or persons engaged in the occupation of barbering for a period of less than one year may be licensed as an apprentice barber provided he is 17 years of age, and has an elementary school education or its equivalent in the judgment of the Commission, upon successfully passing said Commission's examination for licensing a barber, as herein set forth.

Section 5. Whenever the masculine gender is used in this Act it is to include the feminine gender. Every applicant for a barber's license, apprentice-barber's license, or for a license to operate a barber shop or barber's college, or other like business shall apply therefor in writing on blanks prepared or furnished by said Barber's Commission. It shall be accompanied by the recommendation of at least two barbers doing business in an incorporated municipality of the County where said application is made, not related to applicant, certifying that the applicant is of good reputation, is qualified to practice the trade of barbering and recommending that a license be granted. Said application shall be accompanied by the application fee of \$7.50 and a reputable doctor's certificate certifying that said applicant has no communicable or contagious or infectious disease. If the applicant has not practiced barbering in the County prior to the effective date of this Act, the application fee for the first year shall be \$15.00. It is provided, however, that upon the payment of the required fee the Commission shall, without the necessity for recommendations from other barbers and without examination, other than a physical examination which may be required, issue a license to any barber who has been licensed by a licensing and examining agency of another county or state similar to the Commission hereby created if such other agency reciprocally licenses barbers licensed by the Commission herein created. The Commission shall have authority to call before it and require any barber to have an examination by a reputable doctor

to ascertain whether or not he has a communicable, contagious or infectious disease, the Commission shall have authority to revoke his license forthwith. The Commission, after applications in proper form have been filed, shall set the application down for a hearing (before refusing to issue a license) and determination as hereinafter provided in this Act. The Commission shall issue a license in such form as it may prescribe, which shall show the name and address of the licensee and the barber shop or college in which he is employed. The seal of the Commission shall be imprinted on the license, and such other additional matter placed thereon as the Commission may designate. It shall be the duty of each person, co-partnership, association or corporation to conspicuously display his license in his place of business. The Commission shall issue to each licensee a pocket card, on which shall be an imprint of the seal of the Commission certifying that the person whose name appears thereon is a licensed barber or operator of one of the businesses herein named as the case may be. The annual renewal fee for each barber's license shall be \$7.50. Each barber shop, barber college or other like business within any incorporated municipality in Calhoun County shall pay to the Commission an annual license of \$10.00 per shop or college. The original fee for each person, co-partnership, association or corporation, who operates a barber college shall be \$100.00, in addition to the annual license herein provided. Every license shall expire on the 31st day of December of each year. The Commission shall issue a new license for the ensuing year in the absence of any reason or condition that might warrant the refusal of granting of the license upon the receipt of the written request of the applicant accompanied by the annual fee therefor, as herein required, and accompanied, also, by a certificate of a reputable physician asserting that the applicant then has no contagious, communicable or infectious disease. The Commission may upon its own motion, and shall upon the verified complaint in writing of any three persons making out a prima facie case investigate the actions of any person hereby affected, and shall have the power to suspend or to revoke any license issued under the provisions of this Act at any time where the licensee has fraudulently obtained the license, or where the licensee in performing or attempting to perform any of the acts mentioned herein is deemed to be guilty of (a) the violation of any state, county or city statute or ordinance pertaining to the operation of the business hereby affected, (b) the violation of any rule or regulation established by the Commission, (c) or who has failed upon request of the Secretary-Treasurer to give evidence and/or proof of the compliance with the same. The Commission shall, before denying an application for license, or before suspending or revoking any license, set the matter down for a hearing, and at least ten days prior to the date set for the hearing, notify the applicant or licensee in writing, which notice shall contain an exact statement of the charges made, and the date and place of hearing. The applicant or licensee at all hearings, shall have the opportunity to be heard in person or by counsel or both. Such notice may be served by delivery of the same personally to the applicant or licensee, or by mailing the same by registered mail to the last known business of such applicant or licensee. In preparation and conduct of hearings, the Commission shall have the power to invoke the aid of any court to require by subpoena the appearance and testimony of witnesses and the production of papers, and any member of the commission may administer oaths and examine witnesses. The fees and mileage shall be the same as prescribed by law in judicial procedure in the Courts of this State in civil cases. Any party to a hearing shall have the right to the attendance of witnesses in his behalf. In case of disobedience to a subpoena, any member of the Commission may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers, and such court may issue an order requiring the persons to appear before the Commission, and give evidence or produce papers as the case may be, and any failure to obey such order of the Court may be punished by the Court as

a contempt thereof. If the Commission shall determine that any applicant is not qualified to receive a license, or that any licensee is guilty of a violation of any of the provisions of this act, a license shall not be granted, or the same suspended or revoked as the case may require. Upon request of the applicant or licensee in writing, the Commission shall furnish said party with a definite statement of its findings of facts and its reason or reasons for refusing to grant the license or for its suspension or revocation of same. The findings of the Commission may be appealed to the Circuit Court of the county, provided an appeal is taken within 10 days after such final determination of the Commission. Any person desiring to appeal under this section shall file with the Commission or some member thereof, a notice in writing that he appeals to the Circuit Court and any cause so appealed shall be tried de novo in said Circuit Court. The Commission shall at least every three months hold an examination for the purpose of determining the qualifications of any applicants to become barbers or barber-apprentices, and shall conduct said examinations in accordance with the provisions hereof and in accordance with the rules and regulations promulgated by said Commission not inconsistent with this Act. Said examination to be conducted in the city, town, or village where the principal office of the Commission is located.

Section 6. It shall be unlawful (a) for any barber or barber apprentice to continue the practice of barbering knowing that he has an infectious, contagious or communicable disease; (b) to own, manage, operate, control, or work in any barber shop unless continuous hot and cold running water is provided therein; (c) to use upon one patron a towel that has been used upon another patron unless and until the towel has been relaundered; (d) not to provide the head rest on each chair with a clean laundered towel or a sheet of clean paper for each patron; (e) to use in the practice of barbering any styptic pencil, finger bowls, sponge, lump alum, or powder puffs, to be in possession of styptic pencil, finger bowls, sponges, lump alum, or powder puffs, or use towels in the laboratory bowls is prima facie evidence that the same is being used therein; (f) not to place around the patron's neck a strip of cloth, cotton or a towel, or other neck band so that the hair cloth will not come in contact with the neck or skin of the patron's body; (g) to use on any patron a razor, scissors, tweezers, comb, rubber disks, or parts of vibrators used on another patron unless the same are kept in a closed compartment and sterilized in a solution of 2% carbolic acid, or other solutions approved by the Commission before each use; (h) not to keep all linens used in the barber shop in a closed cabinet or compartment at all times. The Commission shall have additional power to make rules, regulations, and prescribe sanitary requirements, in addition to the foregoing, in furtherance of the purpose and intent of this ordinance, subject to the approval of the County Board of Health. Any member of the Commission, and any inspector employed by the Commission, shall have authority to enter and inspect any barber shop in the County at any time during business days and hours, and shall inspect each barber shop in the County at least once a month.

Section 7. Any person violating the provisions of this Act shall upon conviction be punished by a fine or not more than five hundred dollars, or by imprisonment for a term not to exceed six months, or by both fine and imprisonment in the discretion of the Court. No person, firm, partnership or corporation shall be deemed to have violated this Act by failure to obtain the license required, prior to January 1, 1952. This provision shall have application to any officer or agent of a corporation, co-partnership, or association operated in violation of this Act. Any court of competent jurisdiction in any of said counties shall have full power to try any violation of this Act, and upon conviction the court may at its discretion revoke the license of the person, co-partnership, association or corporation violating the terms hereof. Before the Commission herein provided for shall receive a commission and

enter upon the discharge of their duties each shall take and subscribe the oath provided by law to be taken by elective officers of the State of Alabama.

Section 8. If any section, subsection, sentence, clause, phrase or requirement of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The Legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause, phrase and requirements thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or requirements be declared unconstitutional.

Section 9. All laws, or parts of laws, in conflict with this Act be, and the same are hereby repealed.

Section 10. Nothing in this Act contained shall affect the power of the State, County or municipality to tax, license and regulate persons, co-partnerships, associations or corporations, operating barber shops, barber colleges, or other like businesses. The requirements hereof shall be in addition to the requirement of any existing or future law or ordinance of any state, county or municipality so taxing, licensing or regulating persons, co-partnerships, associations or corporations operating barber shops, barber colleges, or other like businesses.

Section 11. This Act shall take effect immediately upon its passage and approval by the Governor.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Larkins	Sollie
Andrews	Foster	McCary	Thagard
Benson	Golson	Norrell	Todd
Boutwell	High	Phillips	Whatley
Byars	Hollis	Smith	Wright
Clayton	Jones		

—21

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Larkins	Sollie
Andrews	Foster	McCary	Thagard
Benson	Golson	Norrell	Todd
Boutwell	High	Phillips	Whatley
Byars	Hollis	Smith	Wright
Clayton	Jones		

—21

Nays:

—0

The Bill:

H. 931. Relating to Calhoun County: To abolish the County Commission of Calhoun County and create in lieu thereof the Board of Revenue of Calhoun County; providing for its organization and procedures and for the selection, term, compensation, expenses, powers and duties of its chairman and associate members; dividing the county into districts; requiring that the county roads and bridges be constructed,



repaired and maintained on a county unit basis, requiring the adoption of a budget for road and bridge construction and repair and prescribing penalties for failure to maintain the roads on a county unit basis or to follow the budget; providing for county purchases and that the Chairman of the Board shall be Purchasing Agent for the county; making it unlawful to use county property or personnel for private purposes or on private property and prescribing penalties and a forfeiture therefor; repealing Act No. 420, S. 387, approved September 13, 1939 (Local Acts of Alabama, 1939, page 252) and Act No. 186, H. 499, approved July 24, 1947 (Local Acts of Alabama, 1947, page 102); and making the Act operative upon its approval by a majority of the voters of Calhoun County voting in a referendum.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Quarles
Andrews	Farmer	McCary	Thagard
Benson	Golson	Norrell	Todd
Byars	High	Phillips	Whatley
Clayton	Hollis	Pinson	Wright
Eddins	Jones		

—21

*Nays:*

—0

The Bill:

H. 919. To fix the salary and prescribe the duties of the Solicitor of the Law and Equity Court of Franklin County, Alabama; and to amend an act approved September 8, 1923, Local Acts of the Legislature of Alabama 1923, page 272, as amended by act approved April 15, 1936, General and Local Acts of the Legislature of Alabama of 1936, page 69, so as to conform to the provisions of this act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Hollis	Phillips
Andrews	Farmer	Jones	Thagard
Benson	Faulkner	Larkins	Todd
Byars	Foster	McCary	Whatley
Clayton	Golson	Norrell	Wright
Eddins	High		

—21

*Nays:*

—0

The Bill:

H. 1009. To propose and provide for the submission of an amendment to the constitution of Alabama; to authorize each of the municipalities in Marion County, Alabama to acquire and equip properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural and manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize such municipalities to lease such properties subject to certain specified requirements; to authorize such municipalities to finance the acquisition and equipment of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such

revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the amendment; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for trust funds and for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof; and to provide that publication of any proceedings hereunder is not required.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Smith
Andrews	Faulkner	McCary	Sollie
Benson	Foster	Norrell	Thagard
Byars	Golson	Phillips	Todd
Clayton	High	Pinson	Whately
Eddins	Hollis	Robison	Wright
Fant	Jones		

—25

Nays:

—0

The Bill:

H. 1001. To propose and provide for the submission of an amendment to the constitution of Alabama; to authorize each of the municipalities in Colbert County, Alabama to acquire and equip properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural and manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize such municipalities to lease such properties subject to certain specified requirements; to authorize such municipalities to finance the acquisition and equipment of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the amendment; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for trust funds and for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof; and to provide that publication of any proceedings hereunder is not required.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Smith	
Andrews	Faulkner	McCary	Sollie	
Benson	Foster	Norrell	Thagard	
Byars	Golson	Phillips	Todd	
Clayton	High	Pinson	Whatley	
Eddins	Hollis	Robison	Wright	
Fant	Jones			—25
Nays:				—0

The Bill:

S. 643. Relating to Franklin County; proposing an amendment to the Constitution of Alabama to authorize the issuance of bonds by the county for the construction of an agricultural building and providing for the construction thereof; and ordering an election on the proposed amendment.

Was read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Smith	
Andrews	Faulkner	McCary	Sollie	
Benson	Foster	Norrell	Thagard	
Byars	Golson	Phillips	Todd	
Clayton	High	Pinson	Whatley	
Eddins	Hollis	Robison	Wright	
Fant	Jones			—25
Nays:				—0

The Bill:

S. 647. Relating to the registration and purgation of voters in counties having a population of 400,000 or more according to the 1950 or any succeeding decennial Federal Census; providing for the selection and compensation of the chairman of the Board of Registrars; providing for meeting days of the Board of Registrars for the registration and purgation of voters; conferring power on the Board of Registrars to establish, alter and consolidate election districts and precincts and designate voting places and to manage and control its office, to employ clerks and personnel subject to the provisions of any Merit and Civil Service System Act having application in such county, and to be the appointing authority of all of its employees subject to the provisions of any such Merit or Civil Service System Act, and to divest the governing body of such county and the Judge of Probate of such county of all such powers, functions and duties; and providing that this Act shall supersede all laws and parts of laws in so far as such counties are concerned.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Farmer	High
Boutwell	Eddins	Foster	Hollis
Byars	Fant	Golson	Jones

Larkins	Phillips	Thagard	Whatley	
McCary	Smith	Todd	Wright	
Norrell	Sollie			—21
Nays:				—0

**The Bill:**

S. 652. To provide additional compensation for certain county officers in counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand and inhabitants and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Foster	McCary	Sollie	
Andrews	Golson	Norrell	Thagard	
Benson	High	Phillips	Todd	
Boutwell	Hollis	Skidmore	Whatley	
Byars	Jones	Smith	Wright	
Faulkner	Larkins			—21

Nays: —0

**The Bill:**

S. 654. Relating to the Sixth Judicial Circuit of Alabama; prescribing the method of striking juries in civil and criminal cases; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Hollis	Reneau	Sollie	
Boutwell	Jones	Richardson	Thagard	
Byars	Larkins	Robison	Todd	
Clayton	Phillips	Skidmore	Whatley	
Golson	Pinson	Smith	Wright	
High	Quarles			—21

Nays: —0

**The Bill:**

S. 655. Relating to counties having populations of not less than 38,800 nor more than 39,550 inhabitants; creating a School House Commission therein; providing for the nomination, appointment, and term of the chairman and members of the commission; and prescribing the powers, authority, and duties of the commission.

was taken up.

Mr. Todd offered the following amendment to the Bill, to-wit:

**AMENDMENT TO SENATE BILL NUMBER 655**

Amend Senate Bill Number 655 by adding after the word "for" in line 13 of Section 2, the following words: "four years after the passage of this bill."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Norrell	Richardson	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Jones	Quarles	Whatley	
Fant	Larkins	Reneau	Wright	
Farmer	McCary			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Norrell	Richardson	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Jones	Quarles	Whatley	
Fant	Larkins	Reneau	Wright	
Farmer	McCary			—21

Nays: —0

The Bill:

S. 667. Relating to the compensation of circuit judges and the judge of probate in any circuit in the State composed of one county having more than five circuit judges and to provide for the salaries of such judges at the beginning of the next term of office in the event that any constitutional amendment restricting an increase in the salaries of such judges shall have been ratified prior to the date of the beginning of their next term of office.

was taken up.

Mr. Boutwell offered the following substitute for the Bill, to-wit:

Substitute for Senate Bill No. 667.

# A BILL TO BE ENTITLED AN ACT

To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. Subject to the conditions set forth in section 3 of this Act: beginning with the next term of office of circuit judge in circuits composed of one county having a population of 400,000 or more according to the last or any succeeding decennial federal census there shall be paid to each circuit judge of such circuit from the general treasury of such county in equal monthly instalments such an annual salary as that, when added to the annual salary payable by the State of Alabama to each such officer, the same will make the total annual salary of each such officer \$12,000.00.

Section 2. Subject to the conditions set forth in section 3 of this Act: beginning with the next term of office of the judge of probate in counties having a population of 400,000 or more according to the last or any succeeding decennial federal census, any judge of probate of any such county whose compensation is fixed on a salary basis shall receive as a salary the sum of \$12,000.00 per annum payable in equal monthly instalments from the general treasury of the county.

Section 3. The salaries provided in sections 1 and 2 of this Act shall be effective only in the event that prior to the beginning of the next term of office of each such judge an amendment to the Constitution of Alabama prohibiting an increase in the salaries of such judges during their respective terms of office shall have been ratified or in the case of the judge of probate if such amendment be so ratified or if the present constitution prohibits an increase in his salary or emoluments during his term of office.

Section 4. In the event that any clause, sentence, paragraph, section, idea, or other part, portion or provision of this Act is held unconstitutional, such holding shall not affect the remainder of the Act; it being hereby declared to be the intention of the Legislature that should any part or portion whatsoever of this Act be held unconstitutional the remainder shall be in full force and effect, and that the Legislature would have passed this Act without such invalid portion; and it is hereby declared to be the intention of the Legislature that this section 4 of this Act shall be interpreted literally.

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Andrews	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

*Nays:*

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Andrews	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

*Nays:*

—0

*The Bill:*

S. 665. To direct the governing body of each county in the State having a population of 400,000 or more according to the last or any succeeding decennial Federal Census, to appropriate and pay compensation and salaries to certain officers who are paid in whole or in part from the funds of such county and to assign new and additional duties to some of such officers.

was taken up.

Mr. Boutwell offered the following substitute for the Bill, to-wit:

Substitute for Senate Bill No. 665.

A BILL  
TO BE ENTITLED  
AN ACT

To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census; and to assign new and additional duties to some of such officers.

Be It Enacted by the Legislature of Alabama:

Sec. 1. The County Commission, Board of Revenue or other governing body in each county of the State of Alabama having a population of four hundred thousand or more, according to the last or any succeeding decennial federal census (each such county being hereinafter referred to as "the county"), is hereby directed to appropriate and pay in equal monthly instalments from any unallocated funds of the county to each officer as herein defined whose compensation is fixed by statute or statutes on a salary basis and who is paid such salary in whole or in part from funds of the county, in addition to all other salary provided by law, a sum equal to 12½% of the annual salary fixed and provided by such statute or statutes for such officer. No fees or emoluments other than salaries shall be included in making such computation. The increase in salary provided in this Act shall take effect immediately if not prohibited by the Constitution and, if such immediate effectiveness is prohibited by the Constitution as to any such officer the increase as respects such officer shall take effect at the beginning of the next term of office of such officer.

Sec. 2. The word "officer" as used in this Act shall mean and include the following: The sheriff, the judge of probate, the circuit judges in circuits comprised of only one county having the population set forth in section 1 of this Act, the circuit solicitor in circuits comprised of only one county having the population set forth in section 1 of this Act, all deputy circuit solicitors and assistant deputy circuit solicitors in circuits comprised of only one county having the population set forth in section 1 of this Act, the tax assessor, the tax collector, the register in chancery, the circuit clerk including the deputy circuit clerk of the branch circuit court if any in the county, the judges of all inferior courts, whether exercising civil or criminal jurisdiction or both, whether such jurisdiction is in lieu of that of justices of the peace or otherwise, the county comptroller, treasurer or other financial officer, the judge of any juvenile court if in the county such judge is other than the judge of probate, and any officer performing like function and duties and serving in the county in place of any of the above named officers, provided that the compensation of each such officer is fixed by statute or statutes on a salary basis and is paid in whole or in part from county funds. The word "officer" does not include the members of the county commission, board of revenue or other governing body of the county.

Sec. 3. The circuit solicitors, deputy circuit solicitors and assistant deputy circuit solicitors, specified in section 2 of this Act, shall perform the following extra, new, and additional duties: (a) Attend all hearings in their judicial circuit for revocation of probation and furnish the trial judge with all information in their possession concerning the case; and (b) Represent any planning board of the county in all civil suits at law or in equity, and (c) When called upon so to do represent any department of the county or any state agency board or bureau in any of the circuit or inferior courts in the county.

Sec. 4. In the event that the salary, compensation or emoluments of any such officer as herein defined and included shall have been or

shall hereafter be increased by any other Act of the 1951 regular session of the Legislature of Alabama, such increase shall not be included in computing such additional salary payment of 12½% provided by this Act, and furthermore any such increase allowed by any other Act of the 1951 regular session of the Legislature of Alabama shall be deducted from any increase provided by this Act; it being the intent of this Act to provide a total increase in salaries of 12½% of the total salary of each such officer, whether paid from county funds or from both state and county funds, as such salary was fixed prior to the 1951 regular session of the Legislature but in no event exceeding 12½% of such sum even though salary increases allowed by other Acts of the 1951 regular session of the Legislature may have been granted in the case of some such officers. If any salary increase provided by any other Act of the 1951 regular session of the Legislature exceeds the 12½% herein allowed, it is not the intent of this Act to reduce the higher figure, but no additional salary shall in such circumstances be payable under this Act from the funds of the county.

Sec. 5. In the event that any clause, sentence, paragraph, section, idea, or other part, portion or provision of this Act is held unconstitutional, such holding shall not affect the remainder of this Act; it being hereby declared to be the intention of the Legislature that should any part or portion whatsoever of this Act be held unconstitutional the remainder shall be in full force and effect, and that the Legislature would have passed this Act without such invalid portion; and it is hereby declared to be the intention of the Legislature that this section 5 of this Act shall be interpreted literally.

Sec. 6. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Quarles	
Andrews	Farmer	McCary	Smith	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Jones			—21

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Quarles	
Andrews	Farmer	McCary	Smith	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Jones			—21

Nays:

—0

The Bill:

S. 657. Relating to municipalities having a population of not less than 5,800 nor more than 6,200 inhabitants; to provide for zoning in such



municipalities; providing for a zoning commission therein; and providing for its membership, powers, authority, functions and duties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Smith
Andrews	Farmer	Jones	Sollie
Benson	Faulkner	Larkins	Thagard
Byars	Foster	McCary	Todd
Clayton	Golson	Pinson	Whatley
Eddins	High	Quarles	Wright

—21

Nays: —0

The Bill:

S. 664. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the President of such Commission or Board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding Federal Census, and to fix the time and regulate the mode of payment of such salaries.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Reneau
Andrews	Farmer	Jones	Thagard
Boutwell	Faulkner	Larkins	Todd
Byars	Foster	McCary	Whatley
Clayton	Golson	Norrell	Wright
Eddins	High		

—21

Nays: —0

The Bill:

S. 666. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of 400,000 or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Smith
Andrews	Farmer	McCary	Sollie
Boutwell	Golson	Norrell	Thagard
Byars	High	Phillips	Todd
Clayton	Hollis	Pinson	Whatley
Eddins	Jones	Quarles	Wright

—21

**Nays:**

—0

**The Bill:**

S. 669. Relating to Tuscaloosa County; providing that the Sheriff of said county may from time to time designate which of his deputies shall serve as chief deputy.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Faulkner	Larkins	Quarles
Andrews	Foster	McCary	Skidmore
Benson	Golson	Norrell	Sollie
Eddins	High	Phillips	Thagard
Fant	Hollis	Pinson	Todd
Farmer	Jones		

—21

**Nays:**

—0

**The Bill:**

S. 670. To provide that in all counties having a population of not less than 13,500 nor more than 15,500, the Board of County Commissioners, Board of Revenue, or other like governing boards may designate one or more State or National Banks as the County Depository.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Fant	Hollis	Quarles
Andrews	Farmer	Jones	Reneau
Benson	Faulkner	Larkins	Richardson
Byars	Foster	Norrell	Smith
Clayton	Golson	Pinson	Sollie
Eddins	High		

—21

**Nays:**

—0

**The Bill:**

S. 672. To impose extra, new, and additional duties upon the members of the county governing body of any county of the State having a population of not less than thirty thousand (30,000) nor more than thirty-three thousand five hundred (33,500) inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Clayton	Golson	Norrell
Andrews	Farmer	High	Phillips
Benson	Faulkner	Larkins	Pinson
Byars	Foster	McCary	Quarles

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1867

Smith	Thagard	Whatley	Wright	
Sollie	Todd			—21
Nays:				—0

## The Bill:

S. 660. To amend Section 19 of Act 781, approved September 28, 1915, as said act is amended by Act 131, approved February 17, 1919, which relates to firemen's pension and relief fund.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

## Yeas:

Messrs.:	Fant	Larkins	Sollie
Andrews	Farmer	McCary	Thagard
Benson	Golson	Norrell	Todd
Byars	High	Phillips	Whatley
Clayton	Hollis	Robison	Wright
Eddins	Jones		
			—21

Nays: —0

## The Bill:

S. 662. To provide for and prescribe the form of government for all cities of Alabama having a population of not less than 100,000 nor more than 120,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census.

was taken up.

Mr. Robison offered the following amendment to the Bill, to-wit:

## AMENDMENT TO SENATE BILL 662

Amend Senate Bill 662 by striking out the figures 100,000 wherever the same appears in the caption and in the body of said Bill and substituting in lieu therefor the figures 75,000. Further amend Senate Bill 662 by striking the figures 120,000 wherever the same appears in the caption and in the body of said Bill and substituting in lieu therefor the figures 125,000.

Amend Section 26 of said Bill by striking said Section 26 as the same now appears in said Bill and substituting in lieu therefor the following:

"Sec. 26—EMPLOYEES PENSION SYSTEM.—There shall be a pension system which applies to all employees of the city."

Which was adopted.

Yeas 21; Nays 0.

## Yeas:

Messrs.:	Fant	Larkins	Quarles
Andrews	Farmer	McCary	Robison
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Thagard
Clayton	Hollis	Pinson	Todd
Eddins	Jones		
			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Fant	Larkins	Quarles	
Andrews	Farmer	McCary	Robison	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Jones			—21

**Nays:** —0

The Bill:

S. 661. To amend Section 546 of Title 62 of the Code of Alabama of 1940 which relates to firemen's pension and relief fund.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Golson	Norrell	Sollie	
Eddins	High	Phillips	Thagard	
Fant	Hollis	Pinson	Todd	
Farmer	Jones	Quarles	Whatley	
Faulkner	Larkins	Robison	Wright	
Foster	McCary			—21

**Nays:** —0

The Bill:

H. 660. Relating to Calhoun County: To prescribe the compensation of the Circuit Clerk of Calhoun County, placing him on a salary, providing for clerical assistance, office space and equipment for him, and repealing Act No. 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 107).

Was read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Eddins	Hollis	Quarles	
Andrews	Fant	Jones	Smith	
Benson	Farmer	Larkins	Sollie	
Boutwell	Foster	McCary	Thagard	
Byars	Golson	Pinson	Todd	
Clayton	High			—21

**Nays:** —0

The Bill:

S. 659. To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Robison
Andrews	Farmer	McCary	Sollie
Boutwell	Golson	Norrell	Thagard
Byars	High	Phillips	Todd
Clayton	Hollis	Pinson	Whately
Eddins	Jones	Quarles	Wright

—21

Nays:

—0

The Bill:

H. 978. To define, regulate and license barbers and barber colleges, and other like businesses in counties of the State of Alabama having a population of four hundred thousand or over, according to the last or any subsequent Federal Census; to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Quarles
Andrews	Farmer	McCary	Smith
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Thagard
Clayton	Hollis	Pinson	Todd
Eddins	Jones		

—21

Nays:

—0

The Bill:

H. 880. To apply only in cities having a population of more than 250,000 inhabitants according to the last Federal Decennial Census, or any subsequent Federal Decennial Census; to authorize and empower the City Commission or other governing body of any city having a population of more than 250,000 inhabitants according to the last Federal Decennial Census or any subsequent Federal Decennial Census to contract for and obtain, either by changes or modifications in existing group insurance policies issued under the authority of Act No. 376, General Acts of Alabama, 1947, Page 267, approved August 16, 1947, or by new or substituted group policies issued under authority of said Act, group life, health, accident and hospitalization insurance, or any one or more of said types or forms of such group insurance, for the benefit of the members of said City Commission or other governing body of said City, which shall provide that any member of such City Commission or other governing body of said City electing to become insured under any such group policy during his tenure of office may remain covered and insured under any such policy after retiring or otherwise vacating his office as a member of such City Commission or other governing body of said City, provided he agrees, and said policy or policies provide, that the maintenance and continuation of such insurance shall henceforth be at his sole cost and expense and without any cost or expense to said City; to provide that no such changed, modified, new or substituted policy or policies shall operate to alter or impair benefits or rights conferred upon other officials or employees of said City insured under any such group policy heretofore issued under the authority of

said Act No. 376; and to provide that this Act shall not be construed to authorize any such city or governing body thereof to anticipate or participate in anticipating payment of premiums on any such group policy for or on behalf of any member of the governing body thereof, before such premiums become due, nor to fully pay up or participate in fully paying up all premiums on any such policy so as to make same a fully paid up policy for or on behalf of any such member of such governing body prior to or at the time of his retirement from such governing body.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Andrews	Farmer	McCary	Thagard	
Boutwell	Golson	Pinson	Todd	
Byars	High	Quarles	Whately	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays:

—0

The Bill:

H. 991. To levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, larger beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Andrews	Farmer	McCary	Thagard	
Boutwell	Golson	Pinson	Todd	
Byars	High	Quarles	Whately	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays:

—0

The Bill:

H. 999. Relating to Franklin County: To fix the compensation of the Coroner.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Clayton	Fant
Andrews	Byars	Eddins	Farmer

Golson	Larkins	Smith	Todd
High	McCary	Sollie	Whatley
Hollis	Pinson	Thagard	Wright
Jones	Quarles		
Nays:			

—21

—0

The Bill:

H. 1010. Relating to counties having a population of not less than twenty-seven thousand one hundred fifty nor more than twenty-eight thousand eight hundred inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a division of any such county into forest-protection districts; imposing extra, new and additional duties upon the president or chairman and members of the county governing body with respect to such districts, and providing additional compensation for the performance of such additional duties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie
Andrews	Farmer	McCary	Thagard
Boutwell	Golson	Norrell	Todd
Byars	High	Quarles	Whatley
Clayton	Hollis	Smith	Wright
Eddins	Jones		

—21

Nays:

—0

The Bill:

H. 1019. To create and establish in Escambia County, Alabama, in lieu of the county court and the juvenile court, a court of record with county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Quarles
Andrews	Farmer	McCary	Smith
Benson	Faulkner	Norrell	Sollie
Byars	High	Phillips	Todd
Clayton	Hollis	Pinson	Wright
Eddins	Jones		

—21

Nays:

—0

The Bill:

H. 1020. Relating to the Court of Common Pleas of Elmore County: To provide that the Judge of the Court of Common Pleas of Elmore County, Alabama, shall have power and authority to issue, hear and determine writs of habeas corpus, that the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be, provided by law, shall prevail in the Court of Common Pleas of Elmore County, that the Judge of the Court of Com-

mon Pleas of said County shall have the same power and authority relating to such writs as is now or hereafter may be conferred upon the Judges of the Circuit Court of Alabama, and that such power and authority shall extend to all cases where the Judges of the Circuit Courts of Alabama have authority to grant such writs.

Was read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Fant	Larkins	Reneau	
Andrews	Farmer	McCary	Smith	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Jones			—21

**Nays:**

—0

**The Bill:**

H. 1021. To Amend Sections 1, 3, 4, 5, 6, 7, 10, 13, 14, 17, 19, 22, 23, 27, 31, 32, 34, 36 of An Act Entitled, An Act "To Establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transactions of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," approved June 27, 1947.

Was read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Fant	Larkins	Quarles	
Andrews	Farmer	McCary	Smith	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Jones			—21

**Nays:**

—0

**The Bill:**

H. 1023. To authorize the Colbert County Hospital Board to convey to Colbert County any portion of the real estate or interest therein owned by said hospital board which its board of directors may determine is not used for the purposes for which said board was organized.

Was read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Byars	Fant	High
Andrews	Clayton	Farmer	Hollis
Boutwell	Eddins	Golson	McCary



Norrell	Quarles	Thagard	Whatley	
Phillips	Smith	Todd	Wright	
Pinson	Sollie			—21
Nays:				—0

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bill, your signature thereto is requested.

H. J. R. 92. Relative to sending patrol cars and motorcycles to encampments and conventions of certain organizations.

Also:

H. 610. To provide when standing timber and trees, and cutting rights with respect thereto, shall be chattels and not real property.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

## CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Johnson, further consideration of the Bill, H. B. 1041, was indefinitely postponed by the Senate.

On motion of Mr. Todd, further consideration of the Bill, H. B. 1018, was indefinitely postponed by the Senate.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 580. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing and directing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the Bill, to-wit:

## SUBSTITUTE FOR H. B. 580

A BILL  
TO BE ENTITLED  
AN ACT

Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of any county having a population of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census is hereby authorized to provide sufficient funds monthly from the county treasury for the appointment by the sheriff of a deputy sheriff, such deputy to be in addition to all other deputies provided by law. The governing body of the county shall fix the deputy's salary at not less than two hundred dollars (\$200) per month, said salary to be paid from the general fund of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Fant	Larkins	Smith	Wright	
Farmer	Locke (Choclaw)			—21

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Fant	Larkins	Smith	Wright	
Farmer	Locke (Choclaw)			—21

Nays:

—0

The Bill:

H. 1024. To authorize the governing body of Mobile County, Alabama, to reimburse the Tax Collector of Mobile County, his agents or employees, to the extent of a sum not exceeding Six Hundred Dollars (\$600.00) per annum, for necessary automobile expenses incurred by use of private automobile in collecting or attempting to collect ad valorem taxes on personal property as shown by the current annual Abstract of Assessments on file in such office; to provide how and in what manner claim for such expenses shall be filed and paid, and when this act shall go into effect.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Quarles	
Andrews	Farmer	McCary	Smith	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Johnston (Mobile)			—21

Nays: —0

The Bill:

H. 1029. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson, in Clarke County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Johnson (Chambers)	Pinson	Sollie	
Benson	Locke (Choctaw)	Quarles	Thagard	
Eddins	Locke (Perry)	Robison	Todd	
Fant	McCary	Skidmore	Whatley	
Farmer	Norrell	Smith	Wright	
Hollis	Phillips			—21

Nays: —0

The Bill:

H. 1032. To provide for a chief deputy sheriff and deputy sheriffs in all counties having a population of between 45,000 and 50,000 persons and to fix their compensation and to require payment of the same by the county governing body.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	High	Norrell	Richardson	
Andrews	Hollis	Phillips	Thagard	
Benson	Johnson (Chambers)	Pinson	Todd	
Faulkner	Johnston (Mobile)	Quarles	Whatley	
Foster	Jones	Reneau	Wright	
Golson	Larkins			—21

Nays: —0

The Bill:

H. 1034. To allow the Sheriff of DeKalb County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Fund of DeKalb County in monthly installments.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Locke (Perry)
Boutwell	Farmer	Johnston (Mobile)	McCary

Norrell	Reneau	Smith	Todd	
Phillips	Richardson	Sollie	Whatley	
Pinson	Robison	Thagard	Wright	
Quarles	Skidmore			—21
Nays:				—0

The Bill:

H. 1005. To amend and extend the corporate limits of the city of Fort Payne, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	High	McCary	Sollie	
Andrews	Hollis	Norrell	Thagard	
Benson	Jones	Robison	Todd	
Faulkner	Larkins	Skidmore	Whatley	
Foster	Locke (Choctaw)	Smith	Wright	
Golson	Locke (Perry)			—21
Nays:				—0

The Bill:

H. 1033. Relating to Lamar County; to fix the traveling expense allowance of the County Superintendent of Education.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Norrell	Sollie	
Andrews	Farmer	Phillips	Thagard	
Benson	Golson	Robison	Todd	
Byars	High	Skidmore	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	McCary			—21
Nays:				—0

The Bill:

H. 1042. To authorize the governing body of Morgan County, Alabama to impose an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Foster	Reneau	Sollie	
Andrews	Golson	Richardson	Thagard	
Benson	High	Robison	Todd	
Fant	Hollis	Skidmore	Whatley	
Farmer	Jones	Smith	Wright	
Faulkner	Larkins			—21

*Nays:* —0

The Bill:

H. 1043. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Foster	Pinson	Sollie	
Andrews	Golson	Quarles	Thagard	
Benson	High	Reneau	Todd	
Boutwell	Hollis	Richardson	Whatley	
Byars	Jones	Smith	Wright	
Faulkner	Larkins			—21

*Nays:* —0

The Bill:

H. 1044. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing witness fees for deputies sheriff subpoenaed in certain cases, and providing for the disposition thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Norrell	Sollie	
Andrews	Fant	Phillips	Thagard	
Benson	Farmer	Robison	Todd	
Boutwell	Locke (Choctaw)	Skidmore	Whatley	
Byars	Locke (Perry)	Smith	Wright	
Clayton	McCary			—21

*Nays:* —0

The Bill:

H. 1045. To amend Section 2 of Act No. 29, H. 159, approved June 27, 1947 (Local Acts of Alabama, 1947, page 23), which provides for an additional deputy sheriff in Chambers County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Benson	Foster	High
Andrews	Faulkner	Golson	Hollis

Johnson (Chambers)	McCary	Smith	Todd	
Johnston (Mobile)	Norrell	Sollie	Whatley	
Jones	Robison	Thagard	Wright	
Larkins	Skidmore			—21

Nays: —0

The Bill:

H. 1052. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; fixing the salaries of the chairman and associate members of the civil service boards of such counties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	High	Pinson	Sollie	
Andrews	Hollis	Reneau	Thagard	
Benson	Jones	Robison	Todd	
Faulkner	Larkins	Skidmore	Whatley	
Foster	Norrell	Smith	Wright	
Golson	Phillips			—21

Nays: —0

The Bill:

H. 1053. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; authorizing the county governing body to pay the premiums on the official bonds of certain county employees.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Larkins	
Andrews	Fant	Hollis	Locke (Choctaw)	
Benson	Farmer	Johnson (Chambers)	Robison	
Boutwell	Faulkner	Johnston (Mobile)	Skidmore	
Byars	Foster	Jones	Smith	
Clayton	Golson			—21

Nays: —0

The Bill:

H. 1004. To alter and rearrange the corporate limits of the City of Sylacauga in Talladega County, Alabama, by excluding from the corporate limits of said city certain territory, and also by extending the corporate limits of said City to include certain other territory:

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	High	Johnston (Mobile)
Andrews	Foster	Hollis	Jones
Benson	Golson	Johnson (Chambers)	Locke (Choctaw)

# REGULAR SESSION

1879

Locke (Perry)	Phillips	Reneau	Whatley	
McCary	Pinson	Todd	Wright	
Norrell	Quarles			—21

Nays: —0

The Bill:

H. 1046. Relating to Baldwin County; providing that the judge of the circuit court of Baldwin County shall be, ex officio, judge of the juvenile court.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	Locke (Choctaw)	
Andrews	Farmer	Johnson (Chambers)	Locke (Perry)	
Benson	Faulkner	Johnston (Mobile)	McCary	
Byars	Foster	Jones	Norrell	
Clayton	Golson	Larkins	Phillips	
Eddins	High			—21

Nays: —0

The Bill:

H. 1047. Relating to Baldwin County: to authorize the governing body of Baldwin County to levy an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Baldwin County; providing for the assessment, collection and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	High	Reneau	Sollie	
Fant	Hollis	Richardson	Thagard	
Farmer	Jones	Robison	Todd	
Faulkner	Larkins	Skidmore	Whatley	
Foster	Pinson	Smith	Wright	
Golson	Quarles			—21

Nays: —0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

By Mr. Thomason:

H. 615. To define, regulate and license barbers and barber colleges, and other like businesses within the corporate limits and police jurisdiction of the incorporated municipalities in Calhoun County, Alabama; and create a Barbers' Commission for said county; and to fix the powers and duties of said Commission; and to prescribe penalties for violations hereof.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Brassell:

H. J. R. 125. Be it resolved by the Legislature of Alabama, both Houses thereof concurring, That the President of the United States, the Secretary of State and the Congress of the United States are hereby respectfully requested, memorialized and petitioned to take whatever steps are necessary to secure the prompt release of William N. Oatis, an Associated Press Correspondent who is now held by the Czechs as a spy, having been convicted at a trial which was a farce in which the prosecutor made out a charge of "spying" amounting in reality to nothing more than routine diligent news reporting.

Be it resolved further, That a duly authenticated copy of this resolution be transmitted by the Clerk of the House to each of the following authorities: the President of the United States, the Secretary of State of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of Alabama's Congressional Delegation.

And sends same herewith to the Senate for its consideration:

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Whatley, the rules were suspended and the Resolution, H. J. R. 125, was concurred in and adopted by the Senate.

## CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Fant, further consideration of the bill, H. B. 1048, was indefinitely postponed by the Senate.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 1015. To amend Section 2 of an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof, and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only during the term of office of the sheriff appointing such deputy, approved May 23, 1931, reported, Local Acts Alabama 1931, pages 83.84.



Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Reneau	Sollie	
Andrews	High	Richardson	Thagard	
Benson	Hollis	Robison	Todd	
Byars	Phillips	Skidmore	Whately	
Faulkner	Pinson	Smith	Wright	
Foster	Quarles			—21

Nays:

—0

The Bill:

H. 966. Relating to Choctaw County: To create and establish in Choctaw County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Choctaw County"; defining its jurisdiction; providing it with officers; defining their powers, duties, salary, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process, and the return of warrants thereto; abolishing the existing Inferior Court of Choctaw County and providing for the transfer and trial of cases pending in the abolished Inferior Court at the time of this Act takes effect to the newly-created Inferior Court of Choctaw County.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. 966

Amend H. B. 966 as follows:

1. Strike from subsection (b) of Section 3 the figure "1954" and insert in lieu thereof the figure "1952".
2. Strike therefrom in its entirety subsection (c) of Section 3.
3. Strike from subsection (f) of Section 3 the words and figures "three thousand six hundred dollars (\$3,600)" and insert in lieu thereof the words and figures "one thousand eight hundred dollars (\$1,800)."
4. Strike from subsection (a) of Section 4 the words and figures "one dollar and twenty-five cents (\$1.25)" and insert in lieu thereof the words and figures "seventy-five cents (\$.75)".
5. Strike therefrom in its entirety Section 12.
6. Strike therefrom in its entirety Section 16 and insert in lieu thereof the following: "Section 16. This Act shall become effective on the first Monday after the second Tuesday in January 1953, except that subsection (b) of Section 3 shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Byars	Golson	Jones
Andrews	Fant	High	Larkins
Boutwell	Farmer	Hollis	Locke (Choctaw)

McCary	Pinson	Sollie	Whatley	
Norrell	Quarles	Todd	Wright	
Phillips	Smith			—21

*Nays:* —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Golson	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Fant	Larkins	Smith	Wright	
Farmer	Locke (Choctaw)			—21

*Nays:* —0

The Bill:

S. 641. To repeal an Act passed by the Legislature of Alabama and approved on September 19th, 1949, (Act No. 576, General and Local Acts of Alabama, 1949, page 906) entitled, "An Act creating the office of County Engineer for Winston County, Alabama; prescribing his qualifications, term of office and salary."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Golson	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Fant	McCary			—21

*Nays:* —0

The Bill:

H. 891. To amend Section 189 of Title 51 of the Code of Alabama of 1940 with reference to the Tax Collector keeping his Court House office open and visiting precincts for the collection of taxes.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Quarles	
Andrews	Farmer	McCary	Smith	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Johnston (Mobile)	Pinson	Todd	
Eddins	Jones			—21

*Nays:* —0

**The Bill:**

H. 452. To effectuate sick leave payments to teachers employed by the Alabama Institute for Deaf and Blind through reimbursements by the State Board of Education to the Alabama Institute for Deaf and Blind from the Minimum Program Fund for payments to substitute teachers employed to replace teachers absent on sick leave during the time the school is in session, and to authorize the State Board of Education to establish a sick leave plan for teachers employed by the Alabama Institute for Deaf and Blind, define sick leave, determine rate of reimbursements for substitute teachers who serve in the place of teachers on sick leave, limit the number of days of sick leave per teacher for which reimbursements may be made, and to make such other rules and regulations as may be necessary for the effective operation of this act.

Was read a third time at length and passed.

Yeas 26; Nays 0.

**Yeas:**

Messrs.:	Fant	Jones	Richardson	
Andrews	Farmer	Locke (Choctaw)	Robison	
Bonner	Faulkner	Locke (Perry)	Skidmore	
Boutwell	Foster	McCary	Todd	
Byars	Golson	Norrell	Whatley	
Clayton	Hollis	Quarles	Wright	
Eddins	Johnson (Chambers)	Reneau		—26

**Nays:**

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Cole and Brassell:

H. 1089. To Validate certain expenditures by the governing body of Russell County, Alabama, for the payment of bond premiums for the Deputy Tax Assessor, Deputy Tax Collector, Deputy Circuit Clerk and Deputy Register, Three Deputy Sheriffs and the Chief Clerk in the office of the Judge of Probate.

With notice and proof thereto attached and herewith exhibited as follows:

**LEGAL NOTICE**

Notice is hereby given that application will be made to the Legislature of Alabama in its general session in 1951 for the passage of the following local Act:

**AN ACT**

To Validate certain expenditures by the governing body of Russell County, Alabama, for the payment of bond premiums for the Deputy Tax Assessor, Deputy Tax Collector, Deputy Circuit Clerk, and Deputy Register, Three Deputy Sheriffs and the Chief Clerk in the office of the Judge of Probate.

Be It Enacted by the Legislature of Alabama:

Section 1. The action of the governing body of Russell County, Alabama, in ordering the payments of the premiums on the official bonds of the Deputy Tax Assessor, Deputy Tax Collector, Deputy Circuit Clerk and Deputy Register and three Deputy Sheriffs and the Chief Clerk in

the office of the Judge of Probate for the years 1943, to 1950, inclusive and the warrants drawn for payment of such claims on such bonds is hereby validated.

Section 2. This act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

COLE AND BRASSELL,  
Representatives, Russell County, Alabama.

27-3-10-17—4T.

#### AFFIDAVIT

#### THE STATE OF ALABAMA RUSSELL COUNTY

Before me Jack L. Kinney, a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on July 27, August 3, August 10, August 17, 1951.

An Act—To validate certain expenditures by the Governing body of Russell County, Alabama, for the payment of bond premiums for the Deputy Tax Assessor, Deputy Tax Collector, Deputy Circuit Clerk, and Deputy Register. Three Deputy Sheriffs and the Chief Clerk in the office of the Judge of Probate.

HAROLD E. POOR, SR.

Sworn to and subscribed before me, this 18th day of Aug., 1951.

JACK L. KINNEY, N. P.

Also:

By Messrs. Cole and Brassell:

H. 1090. To amend an Act creating an additional Deputy Sheriff for Russell County, Alabama, by repealing Section 3 thereof.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama in its general session in 1951 for the passage of the following Local Act:

#### AN ACT

Entitled An Act to amend an Act creating an additional Deputy Sheriff for Russell County, Alabama, by repealing Section 3 thereof.

Be It Enacted by the Legislature

Section 1. That the Act approved June 19, 1947, providing an additional Deputy Sheriff of Russell County, Alabama, be amended by repealing Section 3 of the Act approved June 19, 1947.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor.

COLE AND BRASSELL,  
Representatives, Russell County, Alabama.

27-3-10-17—4T.

## AFFIDAVIT

THE STATE OF ALABAMA  
RUSSELL COUNTY

Before me Jack L. Kinney, a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on July 27, August 3, August 10, August 17, 1951.

An Act—Entitled an act to amend an act creating an additional Deputy Sheriff for Russell County, Alabama.

HAROLD E. POOR, SR.

Sworn to and subscribed before me, this 18th day of Aug., 1951.

JACK L. KINNEY, N. P.

By Messrs. Cole and Brassell:

H. 1091. To validate certain expenditures and payment of claims by the governing body of Russell County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature in its general session in 1951 for the passage of the following Local Act:

## AN ACT

To validate certain expenditures and payment of claims by the governing body of Russell County, Alabama.

Whereas, the governing body of Russell County ordered the payment of certain claims in which there were no notarization and no itemization, and

Whereas, all of said claims being a legal and proper charge upon the various finds of Russell County, and

Whereas, all payees received payment on said claims for the calendar year of 1947 to July 1, 1951, inclusive.

Be It Enacted by the Legislature of Alabama:

Section 1. The action of the governing body of Russell County, Alabama, in ordering the payment of certain claims without notarization and without itemization for the Calendar years of 1947 to July 1, 1951, inclusive and the payment of said warrants by said governing body upon all of the funds of Russell County, Alabama, be and the same are hereby validated.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

COLE AND BRASSELL,

27-3-10-17—4T.

Representatives, Russell County, Alabama.

## AFFIDAVIT

THE STATE OF ALABAMA  
RUSSELL COUNTY

Before me Jack L. Kinney, a Notary Public personally appeared

Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on July 27—August 3—August 10—August 17, 1951.

An Act—To validate certain expenditures and payment of claims by the governing body of Russell County, Alabama.

HAROLD E. POOR, SR.

Sworn to and subscribed before me, this 18th day of Aug., 1951.

JACK L. KINNEY,  
N. P.

Also:

By Messrs. Cole and Brassell:

H. 1092. To repeal Section 3 of an Act requiring the Deputy Circuit Clerk of Russell County to enter into bond in the sum of \$5,000, approved May 28, 1943.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature in its general session in 1951 for the passage of the following Local Act:

#### AN ACT

Entitled an Act to repeal Section 3 of an Act requiring the Deputy Circuit Clerk of Russell County to enter into bond in the sum of \$5,000, approved May 28, 1943.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of the Act approved May 28, 1943, requiring the Deputy Circuit Clerk of Russell County, Alabama, to enter into bond in the sum of \$5,000 be and the same is hereby repealed.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

COLE AND BRASSELL,

Representatives, Russell County, Alabama.

27-3-10-17—4T.

#### AFFIDAVIT

THE STATE OF ALABAMA  
RUSSELL COUNTY

Before me Jack L. Kinney, a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on July 27—August 3—August 10—August 17, 1951.

An Act—Entitled an Act to repeal Section 3 of an Act requiring the Deputy Circuit Clerk of Russell County to enter into bond in the sum of \$5,000 approved May 28, 1943.

HAROLD E. POOR, SR.

Sworn to and subscribed before me, this 18th day of Aug., 1951.

JACK L. KINNEY,  
N. P.

Also:

By Messrs. Cole and Brassell:

H. 1093. To repeal Section 3 of an Act providing for the placing of the Deputy Tax Collector and Deputy Tax Assessor of Russell County under a bond of \$1,000.00, approved May 20, 1943.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Application will be made to the Legislature of Alabama in its 1951 Session for the passage of the following Local Act:

#### A BILL ENTITLED AN ACT

To repeal Section 3 of an Act providing for the placing of the Deputy Tax Collector and Deputy Tax Assessor of Russell County under a bond of \$1,000.00, approved May 20, 1943.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of the Act approved May 20, 1943, providing for the placing of the Deputy Tax Assessor and the Deputy Tax Collector under bond in the sum of \$1,000.00 is hereby repealed.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.

COLE AND BRASSELL,  
Representatives, Russell County, Alabama.

3-10-17-24—4T.

#### AFFIDAVIT

#### THE STATE OF ALABAMA RUSSELL COUNTY

Before me Jack L. Kinney, a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on August 3—August 10—August 17—August 24, 1951.

#### A BILL ENTITLED AN ACT

To repeal Section 3 of an Act providing for the placing of the Deputy Tax Collector and Deputy Assessor of Russell County under a bond of \$1,000.00 approved May 20, 1943.

HAROLD E. POOR, SR.

Sworn to and subscribed before me, this 18th day of Aug., 1951.

JACK L. KINNEY,  
N. P.

Also:

By Mr. Coburn:

H. 1097. Relating to counties having a population of not less than thirty-eight thousand eight hundred nor more than thirty-nine thousand five hundred inhabitants; creating a School Building Commission in any such county, prescribing its powers, duties, and authority, and providing that such Commission shall have exclusive power to expend funds accruing to the County Board of Education or any other county agency for the construction, equipment, and maintenance of public school buildings.

Also:

By Mr. Smith:

H. 1100. Relating to counties having a population of less than thirteen thousand inhabitants; to fix the expense allowance of the county superintendent of education of such counties.

Also:

By Messrs. Dumas, Meeks, Beatty, Huey, Kaul, Adams (Jefferson), and Morgan (Jefferson):

H. 1105. To authorize the Board or Boards of Education in each county having a population of 400,000 or more according to the 1940 or any succeeding decennial Federal census to allow vacation leaves to clerical and maintenance employees at any time during the year.

Also:

By Messrs. Dumas, Meeks, Beatty, Kaul, Adams (Jefferson), Morgan (Jefferson) and Huey:

H. 1102. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of 400,000 or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Dumas, Meeks, Beatty, Kaul, Adams (Jefferson), Morgan (Jefferson) and Huey:

H. 1103. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the President of such Commission or Board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding Federal Census, and to fix the time and regulate the mode of payment of such salaries.

Also:

By Messrs. Meeks, Beatty, Huey, Dumas, Kaul, Adams (Jefferson) and Morgan (Jefferson):

H. 1106. Relating to counties having a population of four hundred thousand or more inhabitants; to authorize the assessment of motor vehicles for ad valorem taxation to be commenced on September 15 of each year.

Also:

By Mr. Butler:

H. 806. For the relief of John Character of Clay County:

Also:

By Messrs. Dumas, Meeks, Huey, Beatty, Kaul, Adams (Jefferson), and Morgan (Jefferson):

H. 1104. To authorize the Board of Education of each city having a population of 250,000 or more according to the 1940 or any succeeding decennial Federal census to allow vacation leaves to clerical and maintenance employees at any time during the year.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:



H. B.'s 1089, 1090, 1091, 1092, 1093, 1097, 1100, 1105, 1102, 1103, 1106 and 1104—To the Committee on Local Legislation.

H. B. 806—To the Committee on Finance and Taxation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Adams (Jefferson), Meeks, Beatty and Huey:

H. 1108. To alter, rearrange and increase the boundaries of the City of Bessemer, Jefferson County, Alabama, to provide for elections to submit to the qualified voters of the territory or territories to be annexed to said city of Bessemer for their approval or rejection of such alterations and extension.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

#### STATE OF ALABAMA JEFFERSON COUNTY

Notice is hereby given that application will be made, without cost to the State, to the present session of the Legislature of Alabama, for the immediate introduction and passage of a bill, the substance of which is in words and figures as follows:

### AN ACT

To alter, rearrange and increase the boundaries of the City of Bessemer, Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Bessemer, in the County of Jefferson, State of Alabama, shall be altered and rearranged and increased so as to include therein, in addition to the lands now included, the following described property, to-wit:

### PARCEL NO. 1:

Begin at Northeast Corner of Northeast Quarter of Southeast Quarter, Section 17, Township 19 South, Range 4 West, run thence South along East boundary of said Northeast Quarter of Southeast Quarter to Northwest Right of Way boundary of Bessemer to Tuscaloosa Highway as it now runs, the point of beginning; run thence in a Southwesterly direction along said Northwest boundary to North boundary of Southeast Quarter of Southeast Quarter of said Section 17, turn right and run West along said North boundary and continuing along North boundary of Southwest Quarter of Southeast Quarter and North boundary of Southeast Quarter of Southwest Quarter to Northwest corner of said Southeast Quarter of Southwest Quarter, turn left and run South along West boundary of said Southeast Quarter of Southwest Quarter to Southwest corner of said Southeast Quarter of Southwest Quarter, Section 17, Township 19 South, Range 4 West, which corner being Northwest corner of Northeast Quarter of Northwest Quarter, Section 20, Township 19 South, Range 4 West, continue South along West boundary to Southwest corner of Northeast Quarter of Northwest Quarter, turn left and run East along South boundary of said Northeast Quarter of Northwest Quarter, continuing along South boundary of Northwest Quarter of Northeast Quarter, Section 20, Township 19 South, Range 4 West, to the Southeast Right of Way boundary of aforesaid Bessemer to Tusca-

loosa Highway, turn left and run in a Northeasterly direction along said Southeast Right of Way boundary as it meanders and as it now runs to the aforesaid East boundary of Northeast Quarter of Southeast Quarter of aforesaid Section 17, turn left and run North along said East boundary to point of Beginning; being in South Half Section 17, Township 19 South, Range 4 West, and North Half of North Half, Section 20, Township 19 South, Range 4 West, situated in Jefferson County, Alabama.

ALSO,

PARCEL NO. 2:

Begin at Southeast corner of Southeast Quarter of Northeast Quarter, Section 17, Township 19 South, Range 4 West, the point of Beginning, run thence West along South boundary of said Southeast Quarter of Northeast Quarter and continuing along South boundary of Southwest Quarter of Northeast Quarter to Southwest corner of said Southwest Quarter of Northeast Quarter, which corner being Northeast corner of Northeast Quarter of Southwest Quarter, run thence South along East boundary of said Northeast Quarter of Southwest Quarter, Section 17, Township 19 South, Range 4 West, to Southeast corner of Northeast Quarter of Southwest Quarter, turn right and run West 50 feet along South boundary of said Northeast Quarter of Southwest Quarter, which boundary being the North boundary of Southeast Quarter of Southwest Quarter, turn right and run North parallel to and 50 feet West of aforesaid East boundary of Northeast Quarter of Southwest Quarter to a point 50 feet North and 50 feet West of aforesaid Northeast corner of Northeast Quarter of Southwest Quarter, turn right and run East parallel to and 50 feet North of aforesaid South boundary of Southwest Quarter of Northeast Quarter to East boundary of said Southwest Quarter of Northeast Quarter, which boundary being West line of Southeast Quarter of Northeast Quarter, Section 17, Township 19 South, Range 4 West, turn left and run North along said West line of Southeast Quarter of Northeast Quarter, continue along said course along West boundary of Northeast Quarter of Northeast Quarter, to Northwest corner of said Northeast Quarter of Northeast Quarter, which corner being the Southeast corner of Southwest Quarter of Southeast Quarter, Section 8, Township 19 South, Range 4 West, run West along South boundary of said Southwest Quarter of Southeast Quarter to Southwest corner of Southwest Quarter of Southeast Quarter, run thence North along West boundary of said Southwest Quarter of Southeast Quarter, continuing along said course to West boundary of Northwest Quarter of Southeast Quarter, a total distance of 1807 feet more or less to South Right of Way boundary of Bessemer to Adger Road, turn right an angle of 116 degrees 01 minutes along said South Right of Way boundary a distance of 204 feet turn right an angle of 8 degrees 15 minutes a distance of 1117.24 feet to point of curve whose delta is 34 degrees 30 minutes left and a radius of 344.7 feet, run along its arc a distance of 207.56 feet, thence along tangent to said curve 15.50 feet, to West boundary of West Lake Land Company property, turn right an angle of 59 degrees 36 minutes along said property line a distance of 657.4 feet, turn right an angle of 20 degrees 22 minutes a distance of 941 feet, turn left an angle of 23 degrees 29 minutes a distance of 1110 feet more or less to South boundary of Northeast Quarter of Northeast Quarter, Sec- 17, Township 19 South, Range 4 West, turn left along said South boundary of Northeast Quarter of Northeast Quarter a distance of 147 feet more or less to Southeast corner of said Northeast Quarter of Northeast Quarter, which corner being Northeast corner of Southeast Quarter of Northeast Quarter, run thence South along East boundary of said Southeast Quarter of Northeast Quarter to point of beginning; being in Northeast Quarter of Southwest Quarter, and Northeast Quarter, Section 17, Township 19 South, Range 4 West, and Southeast Quarter, Section 8, Township 19 South, Range 4 West, Situated in Jefferson County, Alabama.

ALSO,

PARCEL NO 3:

Begin at the Southwest corner of Section 9, Township 19 South, Range 4 West, and run North along West boundary of said Section 9 a distance of 212.34 feet to the intersection of the Northwest Right of Way boundary of alley in Block 371 (according to Bessemer Coal, Iron and Land Company survey of Block 358 and 371, in Map Book 4, Page 2, Judge of Probate Office, Bessemer, Jefferson County, Alabama) which alley Right of Way being property line of West Lake Land Company tract for point of beginning; thence turn right an angle of 53 degrees, 27 minutes and run along said Northwest alley Right of Way boundary a distance of 180.14 feet, thence turn left an angle of 82 degrees, 07 minutes as alley Right of Way turns and run along said alley Right of Way, and continuing same course, along Southwest boundary of Block 436 (according to Survey of Block 436, West Lake Highlands, as recorded in Map Book 2, Page 46, said Judge of Probate Office, Bessemer) to Northwest corner of Lot 14 of said Block 436, thence turn right and run along Northwest boundary of said Block 436, continuing along same course across Adger or Tuscaloosa Road to Southwest corner of Lot 9, Block 437 (according to Survey of West Lake Highlands, Map Book 2, Page 7, said Judge of Probate Office, Bessemer), turn left an angle of 63 degrees 18 minutes a distance of 91.12 feet to the Southeast corner of Lot H, Block 484 (according to said Survey of West Lake Highlands), continue along said course, which is along Southwest boundary of said Block 484, a distance of 447.76 feet to Southwest corner of Lot A of said Block 484, continue along same course 91.12 feet to Northwest right of way boundary of 11th Avenue (according to said Survey of West Lake Highlands), turn left an angle of 116 degrees, 42 minutes and run along said Northwest right of way boundary to South corner of Lot 4, Block 505 (according to said Survey of West Lake Highlands), turn right and run along Southwest boundary of said Block 505 to West corner of Lot 3, of said Block 505, turn right and run along Northwest boundary of said Block 505 to Southwest right of way boundary of 9th Street, also designated as West Lake Boulevard (according to said Survey of West Lake Highlands), turn left an angle of 90 degrees, no minutes, a distance of 73.35 feet along said right of way boundary, then follow said right of way boundary along a curve whose delta is 40 degrees, 32 minutes right, and radius is 263.42 feet along its arc a distance of 186.36 feet, then along tangent to said curve a distance of 260 feet to Southeast right of way boundary of alley to Block 549 (according to said Survey of West Lake Highlands), turn left an angle of 99 degrees, 45 minutes along said right of way boundary a distance of 42 feet, turn right an angle of 90 degrees, no minutes and continue along said right of way boundary of alley a distance of 350 feet to West corner of alley right of way of said Block 549, continue along said course to Northwest right of way boundary of 13th Avenue (according to Bessemer Coal, Iron and Land Company 17th Addition to Bessemer, as recorded in Map Book 2, page 26, said Judge of Probate Office, Bessemer), if extended, turn right along said Northwest right of way boundary of said 13th Avenue to Southwest right of way boundary of 10th Street (according to said Bessemer Coal, Iron and Land Company 17th Addition) where it intersects Northwest right of way boundary of said 13th Avenue, turn left and run along aforesaid South west right of way boundary of 10th Street to Southeast right of way boundary of Birmingham Mineral Railroad, turn right along said Railroad right of way, a distance of 1040 feet to Northeast right of way boundary of 12th Street (according to said Bessemer Coal, Iron and Land Company 17th Addition), turn right and run along said Northeast right of way boundary to East boundary of Section 8, Township 19 South, Range 4 West, and run South along said East boundary, to North right of way boundary of West Lake Boulevard (according to aforesaid Survey

of West Lake Highlands) where it intersects Northeast right of way boundary of alley to Block 508 (according to said survey of West Lake Highlands), turn left and follow North right of way boundary of West Lake Boulevard along a curve whose delta is 44 degrees, 05 minutes right and radius 500 feet, and along a tangent to said curve a distance of 841.24 feet, thence as said right of way curves to the left, continue a distance of 333.1 feet, along the arc of a curve whose delta is 35 degrees, no minutes left and radius 348.81 feet to a point on said right of way boundary which intersects Southwest right of way boundary of 12th Street (according to Bessemer Coal, Iron and Land Company, Map Book 7, Page 75, said Judge of Probate Office, Birmingham), if extended, run along said Southwest right of way boundary of 12th Street to Northwest right of way boundary of 6th Avenue (according to said Survey in Map Book 7, Page 75), turn right along said Northwest right of way boundary of 6th Avenue to Southwest right of way boundary of 7th Street (according to aforesaid Bessemer Coal, Iron and Land Company Survey in Map Book 4, Page 2), turn right and run along said right of way boundary to the Northwest corner of Lot 17, Block 370 (according to Bessemer Coal, Iron and Land Company 4th Addition to West Lake Highlands as recorded in Map Book 6, Page 10, said Judge of Probate Office, Bessemer) thence run to Northeast corner of Lot 1, Block 372 (according to said Survey recorded in Map Book 6, Page 10) thence along North boundary of said Lot 1 to the Northwest corner of said Lot 1, thence to point of beginning, being in East Half of East Half and in Southwest Quarter of Northeast Quarter, Section 8, Township 19 South, Range 4 West, in Southwest Quarter, and in Southwest Quarter of Northwest Quarter, Section 9, Township 19 South, Range 4 West, and in Northwest Quarter of Northwest Quarter, Section 16, Township 19 South, Range 4 West, situated in Jefferson County, Alabama.

Such boundaries of said city other than changed by including the above described property shall remain as at present and the said territory included in said city shall remain as at present, except that in addition thereto shall be included the above described property.

All property and territory brought within the corporate limits of the City of Bessemer, under the provisions of this Act, shall be liable for payment of taxes to the City of Bessemer, from and after the passage of this Act.

Section 2. This Act shall take effect upon its passage and approval by the Governor.

Approved: .....

The Bessemer Advertiser,  
July 27, August 3-10-17, 1951.

#### AFFIDAVIT OF PUBLICATION

#### STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for 4 weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were July 27, Aug. 3-10-17, 1951 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has

been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,  
Editor-Publisher.

Subscribed and sworn to before me this the 17th day of Aug., 1951.

W. E. MILLER,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1108—To the Committee on Local Legislation.

### RECESS

At 10:40 P. M., on motion of Mr. Richardson, the Senate took a recess until 2:15 P. M.

### AFTERNOON SESSION

### THIRTY-THIRD LEGISLATIVE DAY

TUESDAY, AUGUST 28, 1951

The Senate reassembled at 2:15 P. M., Lieutenant-Governor Allen presiding.

### ROLL CALL

Present:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright

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### REPORTS OF COMMITTEES

Mr. Foster, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Todd:

S. 680. Proposing an amendment to the Constitution of Alabama relating to Colbert County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Skidmore (with notice and proof):

S. 673. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, with-drawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of laws in conflict with this act, and to provide when this act shall become effective.

By Mr. Skidmore (with notice and proof):

S. 674. To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation, lawfully engaged in the business of selling Liquor, Malt or Brewed Beverages, as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

By Mr. Skidmore (with notice and proof):

S. 675. For the relief of R. E. LeSueur.

By Mr. Boutwell:

S. 676. To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system.

By Mr. Thagard (with notice and proof):

S. 677. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

By Mr. McCary:

S. 681. Relating to counties having a population of not less than seventy-four thousand nor more than ninety-three thousand inhabitants; to provide for the development of such counties; creating a county development board for each such county; providing for its organization, powers, functions, duties and personnel; providing for the payment of

its expenses and for the compensation of its personnel; and authorizing the board to acquire, own, lease and dispose of propertise for the purpose of promoting industry and developing trade and to issue revenue bonds to carry out its powers.

By Mr. Smith:

S. 682. Relating to counties having populations of not less than 16,600 nor more than 17,900 inhabitants: Authorizing, directing and requiring the county governing body to insure county-owned motor vehicles.

By Mr. Eddins (with notice and proof):

S. 684. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Linden in Marengo County, Alabama.

By Mr. Faulk (with notice and proof):

H. 1057. To prescribe the manner of fixing the salary of the chief deputy sheriff of Geneva County, Alabama, the maximum and minimum thereof and the manner of payment of the same.

By Mr. Garrett (with notice and proof):

H. 1058. To authorize the Governing Body of Monroe County, Alabama, to transfer any road and bridge funds that are levied and collected within the county to the general fund of the county at any meeting of said county governing body in any calendar year.

By Mr. White (Covington) (with notice and proof):

H. 1059. To authorize the Circuit Clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant; to provide a salary for such assistant; and to repeal Act No. 57, approved May 28, 1943, as amended by Act No. 24, approved by the Governor on May 25, 1945, which authorizes the Clerk to employ a secretarial assistant and fixing such assistant's salary.

By Mr. Fite (Marion) (by request):

H. 1060. Relating to Fayette County: To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for public school purposes in Fayette County; and ordering an election thereon.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Oden (With notice and proof):

H. 1063. To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members; to repeal all acts heretofore enacted relative to the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203.

By Messrs. Beatty, Huey, Adams (Jefferson) and Morgan (Jefferson):

H. 1065. To provide for, regulate, control and prohibit the ownership, use, operation and maintenance of passenger automobiles by all cities in this State having a population of 250,000 persons or more, according to the last or any subsequent Federal census; to provide the terms and conditions under which officers, deputies, agents and employees of such cities may be provided with such automobiles by such cities, or may use the same and the storage thereof; to authorize the governing body of such city to provide by resolution a monetary allowance not to exceed the sum of \$50.00 monthly to be made to any of the members of such governing body for their own account or the use of an automobile owned or controlled by a member of such governing body, in the event

such automobile is used by such member of such governing body primarily or entirely in connection with the performance of his official duties as a member of such governing body; to generally provide for the use, operation, maintenance, identification and general control of such automobiles so as to prevent fraud and imposition on such cities by those using the same, as well as others, and to provide the punishment for the violation hereof.

By Messrs. Beatty, Dumas, Adams (Jefferson), Morgan (Jefferson), and Huey:

H. 1066. To prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards, and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances.

By Messrs. Dumas, Adams (Jefferson), Kaul, Beatty, Huey and Morgan (Jefferson):

H. 1067. To amend Section 81 of Title 61 of the Code of Alabama of 1940, as heretofore amended by General Act 356 of the Legislature of Alabama of 1945 (General Acts of Alabama of 1945, p. 574), insofar as such section, as amended, applies in counties having a population of four hundred thousand (400,000), or more according to the last or any subsequent Federal census.

By Messrs. Wilkins, Pfleger and Gallalee (With notice and proof):

H. 1069. To amend Section Three of Act 415, Local Acts of Alabama, 1947, page 265 et seq approved September 25, 1947 applying in Mobile County, Alabama, and requiring the payment to Mobile County, in addition to all other licenses and taxes required by law, of a license tax equal to one-sixth of one cent on each fluid ounce or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, stored or taken out of storage within such county.

By Messrs. Gallalee, Wilkins and Pfleger (With notice and proof):

H. 1070. To further regulate and define the powers, functions, duties and authority of the Chairman and members of the Board of Revenue and Road Commissioners of Mobile County, Alabama; to impose extra, new and additional duties upon the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama; to provide additional compensation for the members of said Board for the performance of such extra, new and additional duties hereby imposed upon them and to provide for the payment of such additional compensation.

By Messrs. Dumas, Adams (Jefferson), Huey, Beatty, Morgan (Jefferson), Meeks and Kaul:

H. 1072. Relating to the registration and purgation of voters in counties having a population of 400,000 or more according to the 1940 or any succeeding decennial Federal Census; providing for the selection and compensation of the chairman of the Board of Registrars; providing for meeting days of the Board of Registrars for the registration and purgation of voters; conferring power on the Board of Registrars to establish, alter and consolidate election districts and precincts and designate voting places and to manage and control its office, to employ clerks and personnel subject to the provisions of any Merit or Civil Service System Act having application in such county, and to be the appointing authority of all of its employees subject to the provisions of any such Merit or Civil Service System Act, and to divest the governing body of such county



and the Judge of Probate of such county of all such powers, functions and duties; and providing that this Act shall supersede all laws and parts of laws insofar as such counties are concerned.

By Messrs. Pfleger, Gallalee and Wilkins (With notice and proof):

H. 644. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

By Messrs. Gallalee, Wilkins and Pfleger (With notice and proof):

H. 666. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Judge of the Probate Court of Mobile County, Alabama.

By Messrs. Wilkins, Pfleger and Gallalee (With notice and proof):

H. 727. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Collector of Mobile County, Alabama.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 966. Relating to Choctaw County: To create and establish in Choctaw County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Choctaw County"; defining its jurisdiction; providing it with officers; defining their powers, duties, salary, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process, and the return of warrants thereto; abolishing the existing Inferior Court of Choctaw County and providing for the transfer and trial of cases pending in the abolished Inferior Court at the time this Act takes effect to the newly-created Inferior Court of Choctaw County.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 580. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 615. To define, regulate and license barbers and barber colleges, and other like businesses within the corporate limits and police jurisdiction of the incorporated municipalities in Calhoun County, Alabama; and create a Barbers' Commission for said county; and to fix the powers and duties of said Commission; and to prescribe penalties for violations hereof.

Also:

H. 919. To fix the salary and prescribe the duties of the Solicitor of the Law and Equity Court of Franklin County, Alabama; and to amend an act approved September 8, 1923, Local Acts of the Legislature of Alabama 1923, page 272, as amended by act approved April 15, 1936, General and Local Acts of the Legislature of Alabama of 1936, page 69, so as to conform to the provisions of this act.

Also:

H. 931. Relating to Calhoun County: To abolish the County Commission of Calhoun County and create in lieu thereof the Board of Revenue of Calhoun County; providing for its organization and procedures and for the selection, term, compensation, expenses, powers and duties of its chairman and associate members; dividing the county into districts; requiring that the county roads and bridges be constructed, repaired and maintained on a county unit basis, requiring the adoption of a budget for road and bridge construction and repair and prescribing penalties for failure to maintain the roads on a county unit basis or to follow the budget; providing for county purchases and that the chairman of the Board shall be Purchasing Agent for the county; making it unlawful to use county property or personnel for private purposes or on private property and prescribing penalties and a forfeiture therefor; repealing Act No. 420, S. 387, approved September 13, 1939 (Local Acts of Alabama, 1939, page 252) and Act No. 186, H. 499, approved July 24, 1947 (Local Acts of Alabama, 1947, page 102); and making the Act operative upon its approval by a majority of the voters of Calhoun County voting in a referendum.

Also:

H. 1001. To propose and provide for the submission of an amendment to the constitution of Alabama; to authorize each of the municipalities in Colbert County, Alabama to acquire and equip properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural and manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize such municipalities to lease such properties subject to certain specified requirements; to authorize such municipalities to finance the acquisition and equipment of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the amendment; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for trust funds and for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof; and to provide that publication of any proceedings hereunder is not required.

Also:

H. 1009. To propose and provide for the submission of an amendment to the constitution of Alabama; to authorize each of the municipali-

ties in Marion County, Alabama to acquire and equip properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural and manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize such municipalities to lease such properties subject to certain specified requirements; to authorize such municipalities to finance the acquisition and equipment of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the amendment; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for trust funds and for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof; and to provide that publication of any proceedings hereunder is not required.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bill, your signature thereto is requested.

H. J. R. 124. Relative to designating H. B. 566.

Also:

H. 986. To amend Section 1 of Act No. 128 of the regular session of the Legislature of Alabama of 1949, approved June 23, 1949, entitled "AN ACT To provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this State as to doing business herein shall be deemed to have appointed the Secretary of State, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served; and for other purposes" and to provide to what proceedings this Act is applicable.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the

reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

### BILLS ON THIRD READING

The Bill:

S. 407. To provide for the recordation of conveyances, mortgages and other instruments transferring standing timber and trees, cutting rights with respect thereto, and interests therein; and the effect of such recordation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 29; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Robison
Andrews	Faulkner	Locke (Choctaw)	Skidmore
Benson	Foster	Locke (Perry)	Smith
Bonner	High	Norrell	Sollie
Boutwell	Hollis	Quarles	Thagard
Byars	Johnson (Chambers)	Reneau	Todd
Eddins	Johnston (Mobile)	Richardson	Whatley
Fant	Jones		

—29

Nays:

—0

The Bill:

H. 965. Relating to the mode of cancelling teachers' contracts; amending Section 357, Title 52, Code of Alabama (1940).

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Robison
Andrews	Farmer	Locke (Choctaw)	Skidmore
Benson	Faulkner	Locke (Perry)	Smith
Bonner	Foster	Norrell	Sollie
Boutwell	High	Quarles	Thagard
Byars	Hollis	Reneau	Todd
Clayton	Johnston (Mobile)	Richardson	Whatley
Eddins			

—28

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 612. To make an appropriation to the Department of Public Safety for each of the years ending September 30, 1952 and September 30, 1953.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## BILLS ON THIRD READING RESUMED

## The Bill:

S. 409. To control and eradicate infectious and contagious diseases of poultry and to promote and encourage the poultry industry in Alabama by prohibiting the sale of baby chicks and turkey poults by itinerant peddlers or salesmen; requiring the Commissioner of Agriculture and Industries to execute the provisions of this Act and providing a penalty for violations.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 31; Nays 0.

## Yeas:

Messrs.:	Fant	Jones	Richardson
Andrews	Farmer	Larkins	Robison
Benson	Faulkner	Locke (Choctaw)	Skidmore
Bonner	Foster	Locke (Perry)	Smith
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Thagard
Clayton	Hollis	Quarles	Todd
Eddins	Johnston (Mobile)	Reneau	Whatley

—31

## Nays:

—0

## CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Locke (Choctaw), further consideration of the Bill, S. B. 575, was indefinitely postponed by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Clayton:

S. J. R. 83. Relative to the Alabama delegation in Congress being requested to oppose the efforts of the Price Stabilizer to reduce further the price of beef cattle.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Morgan (Tuscaloosa):

H. 977. To amend Section 3 of Act No. 523, S. 315, approved September 30, 1947 (General Acts of Alabama, 1947, page 379), as amended by Act No. 460, S. 431, approved August 25, 1949 (Acts of Alabama, 1949, page 667), which creates a Water Improvement Advisory Commission.

Also:

By Mr. Scruggs:

H. 563. To amend Section 6 of Act No. 522, General Acts of Ala-

bama of 1947, page 373, entitled "An Act To establish a correctional and educational institution under the name and style of 'Alabama Industrial School for Negro Children;' to provide for the government and control of the Alabama Industrial School for Negro Children by a board of trustees; to provide for the membership of said board; to provide that the present board of trustees shall remain as members of the board; to provide for the time of meeting of said board; to provide for the expenses of the members of the board; to provide for the appointment and qualifications and compensation of a superintendent of the Alabama Industrial School for Negro Children and the officers serving under him; to provide that the board shall fix minimum standards of service and personnel, set salary schedules; to provide for the qualifications and employment of other personnel; to provide the duties of the superintendent; to provide for the method of admission to, age, custody, and time of stay in school, discharge, parole, transfer, and escapes of children in the Alabama Industrial School for Negro Children; to provide the method of discipline of children; to provide the classification and education of children under care; to provide the duties of the State Department of Public Welfare in relation to the Alabama Industrial School for Negro Children; to provide for the transportation of children committed to and discharged from the Alabama Industrial School for Negro Children; to provide for the execution of a bond by the superintendent and treasurer; to provide for the removal of the Alabama Industrial School for Negro Children and the sale of property subject to the action of the board and the approval of the Governor; to provide for the acceptance of donations of land, buildings, personal property, and money donated for the use of the Alabama Industrial School for Negro Children; to provide for the conviction and fining of any person interfering with any person in charge of a child committed to the Alabama Industrial School for Negro Children or for the conviction and punishment of any person persuading, coercing, inducing, or assisting in any manner any child who has been committed to the care of the Alabama Industrial School for Negro Children, to leave without the consent of the superintendent or some person in charge."

Also:

By Messrs. Cole and Brassell:

H. 1087. To validate the payment of certain claims by Russell County, Alabama, or its governing body, for the years 1947 to July 1, 1951, inclusive.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature in its General Session in 1951 for the passage of the following Local Act:

#### AN ACT

To validate the payment of certain claims by Russell County, Alabama, or its governing body, for the years 1947 to July 1, 1951, inclusive.

Whereas, the governing body of Russell County, Alabama, did pay or authorize the payment of claims upon the General Fund, the Road and Bridge Fund, Gas Tax Fund and Farm to Market Road Fund, and

Whereas, said claims are numbered respectively as follows: 1942, 1790, 1605, 1513, 1685, 3251, 2650-2658, 2770-2781, 530-537-534.

Be It Enacted by the Legislature of Alabama:

Section 1. The action of the governing body of Russell County, Alabama, in ordering the payment of claims numbered 1942, 1790, 1605,

1513, 1685, 3251, 2650-2658, 2770 2781, 530-537-534, through the years 1947 to July 1, 1951, inclusive, is hereby validated.

Section 2. This act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

COLE AND BRASSELL,  
Representatives, Russell County, Alabama.

27-3-10-17—4T

### AFFIDAVIT

THE STATE OF ALABAMA,  
RUSSELL COUNTY

Before me Jack L. Kinney, a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on July 27—August 3—August 10—August 17, 1951 An Act—To validate the payment of certain claims by Russell County, Alabama, or its governing body, for the years 1947 to July 1, 1951, inclusive.

HAROLD E. POOR, SR., (Seal)

Sworn to and subscribed before me, this 18th day of Aug., 1951.

JACK L. KINNEY, N. P.

Also:

By Messrs. Adams (Jefferson), Beatty, Morgan (Jefferson) and Kaul:

H. 1068. To alter, rearrange and increase the boundaries of the City of Fairfield, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

### AN ACT

“TO ALTER, REARRANGE AND INCREASE THE BOUNDARIES OF THE CITY OF FAIRFIELD, JEFFERSON COUNTY, ALABAMA.”

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Fairfield, in the County of Jefferson, State of Alabama, shall be altered and rearranged and increased so as to include therein, in addition to the lands now included, the following described property, to-wit: The point of beginning of the property to be added to the City of Fairfield, Jefferson County, Alabama, beginning at the Southwesternmost corner of the present corporate limits of the City of Fairfield, said point beginning at the intersection of the Northern boundary of the Southeast quarter of the Northwest quarter of Section 14, Township 18 South, Range 4 West, with the Southeast boundary of the right-of-way of the Possum Valley Road; thence in a Southwesterly direction along the Southeast boundary of said right-of-way of said Possum Valley Road, to its intersection with the Eastern boundary line of the right-of-way of the Tennessee Coal, Iron and Railroad Company's highline Railroad; thence following the Eastern Boundary line of said highline railroad in a Southerly direction to a point where the Eastern boundary line of said highline Railroad intersects the North boundary line of the right-of-way of the Birmingham Electric Company's North Bessemer car line, which car line runs from the city of Birmingham to the City of Bessemer, thence; along the Western boundary line of said car line right-of-way in a Northerly direction to the point where it intersects with the present corporate limits of the City of Fairfield, Jefferson County, Alabama, being the point where the present boundary line of the City of Fairfield intersects the Western boundary

line of the right-of-way of the Birmingham Electric Company's North Bessemer car line, thence; in a Westerly direction along the present existing boundary line of the City of Fairfield on the Southwest side, to the point of beginning, and to include all property in the area inside of this new boundary line.

Such boundaries of said city other than changed by including the above described property shall remain as at present and the said territory included in said city shall remain as at present, except that in addition thereto, shall be included the above described property.

All property and territory brought within the corporate limits of the City of Fairfield under the provisions of this Act, shall be liable for payment of taxes to the City of Fairfield, from and after the passage of this Act.

Section 2. This Act shall take effect upon its passage and approval by the Governor.

Approved.....

The Bessemer Advertiser,  
July 20-27, August 3-10, 1951.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for State and County aforesaid, personally appeared: B. M. McElroy, who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for 4 weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: July 20-27-Aug 3-10 1951 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,  
Editor-Publisher.

Subscribed and sworn to before me this the 10th day of Aug. 1951.

Also:

W. E. MILLER,  
Notary Public.

By Messrs. Dumas, Meeks, Adams (Jefferson) Beatty, Kaul and Morgan (Jefferson):

H. 1107. To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census; and to assign new and additional duties to some of such officers.

Also:

By Messrs. Cole and Brassell:

H. 1094. To validate the payment of claims upon the General Fund, the Road and Bridge Fund, Gasoline Tax Fund, Farm to Market Road Fund, of Russell County, Alabama, as shown by their numbers in Section 1 of this Act, running through the Calendar years of 1947 to July 1, 1951, inclusive.



With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature in its General Session in 1951 for the passage of the following Local Act.

### AN ACT

To validate the payment of claims upon the General Fund, the Road and Bridge Fund, Gasoline Tax Fund, Farm to Market Road Fund, of Russell County, Alabama, as shown by their numbers in Section 1 of this Act, running through the Calendar years of 1947 to July 1, 1951, inclusive.

Be It Enacted by the Legislature of Alabama:

Section 1. That the action of the governing body of Russell County, Alabama, during the years of 1947 to July 1, 1951, inclusive, in paying certain claims on the General Fund, Road and Bridge Fund, Gasoline Tax Fund and Farm to Market Road Fund of Russell County, Alabama, which said claims are numbered as follows: 2098, 2255, 2428, 2585, 2063, 3433, 717, 700, 608, 148, 009, 008, 007, 006, 720, 676, 545, 325, 165, 1616 and 1693, and the payment of each of said claims is hereby validated.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

COLE AND BRASSELL,

Representatives, Russell County, Alabama.

27-3-10-17—4T.

### AFFIDAVIT

#### THE STATE OF ALABAMA RUSSELL COUNTY

Before me Jack L. Kinney, a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on July 27—August 3—August 10—August 17, 1951

An Act—To validate the payment of claims upon the General Fund, the Road and Bridge Fund, Gasoline Tax Fund Farm to Market Road Fund, of Russell County, Alabama as shown by their numbers in Section 1 of this Act, running through the Calendar years of 1947 to July 1, 1951, inclusive.

HAROLD E. POOR, Sr. (Seal)

Sworn to and subscribed before me, this 18th day of Aug., 1951.

JACK L. KINNEY, N. P.

Also:

By Messrs. Hawkins (Etowah), Thomason, Tumlin, Morgan (Tuscaloosa):

H. 140. To provide that in all counties having a population of not less than 75,000 nor more than 130,000 according to the preliminary count of 1950 Federal Census or according to any future regular decennial Federal Census, every voter should be entitled to absent himself from any services or employment in which he is then engaged for two consecutive hours between the time of opening and the time of closing the polls without being liable for any penalty except for wages or compensation actually lost; and to provide that each employer shall have the right to schedule such time as such employee absent himself.

Also:

By Messrs. Morgan (Jefferson), Beatty, Dumas, Adams (Jefferson), Kaul and Meeks:

H. 1101. To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1087, 1068, 1107, 1094 and 1101—To the Committee on Local Legislation.

H. B.'s 977 and 140—To the Committee on Judiciary.

H. B. 563—To the Committee on Education.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 1025. To authorize and empower the circuit clerk of Chilton County, Alabama, to appoint a deputy clerk, and to fix the salary and to provide the method of payment of salary.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Quarles
Andrews	Farmer	McCary	Smith
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Whitley
Clayton	Hollis	Pinson	Wright
Eddins	Jones		

—21

Nays:

—0

The Bill:

H. 1026. To authorize the Sheriff of Chilton County, Alabama to appoint one special deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and to be paid out of the general funds of said County, and to require said deputy to give bond in the sum of \$2,000.00 payable to said sheriff with conditions as required by Section 35, Title 41, 1940 Code of Alabama, and to repeal Local Act No. 324, approved September 2, 1935 and appearing in Local Acts 1935 on page 198.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Byars	Fant	High
Andrews	Clayton	Farmer	Hollis
Boutwell	Eddins	Golson	Jones

# REGULAR SESSION

1907

Larkins	Phillips	Smith	Whatley	
McCary	Pinson	Sollie	Wright	
Norrell	Quarles			—21
Nays:				—0

The Bill:

S. 663. Relating to state government administration; providing for and establishing a state employees' suggestion system; making appropriations to carry out the purposes of the Act.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

## FINANCE AND TAXATION COMMITTEE AMENDMENT TO SENATE BILL NO. 663:

Amend Senate Bill No. 663, Section 3, by adding the following at the end of said Section 3: "provided no award shall exceed the sum of fifty dollars (\$50.00) for each suggestion during said fiscal years, 1951-52 and 1952-53."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Reneau	
Andrews	Farmer	Locke (Choctaw)	Richardson	
Benson	Foster	Locke (Perry)	Robison	
Bonner	High	McCary	Skidmore	
Boutwell	Hollis	Norrell	Smith	
Byars	Johnson (Chambers)	Phillips	Sollie	
Clayton	Jones	Quarles	Todd	
Eddins				—28

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Richardson	
Andrews	Farmer	Locke (Perry)	Robison	
Benson	Foster	McCary	Skidmore	
Boutwell	High	Norrell	Smith	
Byars	Hollis	Phillips	Sollie	
Clayton	Jones	Quarles	Thagard	
Eddins	Larkins	Reneau	Whatley	
				—27

Nays:

—0

The Bill:

H. 921. Relating to cities having populations of not less than 50,000 nor more than 100,000 inhabitants; creating and establishing within such cities a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees of such cities.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Quarles
Andrews	Farmer	McCary	Smith
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Thagard
Clayton	Hollis	Pinson	Todd
Eddins	Jones		

—21

Nays:

—0

The Bill:

H. 797. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Quarles
Andrews	Farmer	McCary	Smith
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Thagard
Clayton	Hollis	Pinson	Todd
Eddins	Jones		

—21

Nays:

—0

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 572. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payment of such additional compensation by Tuscaloosa County.

Also:

S. 609. To amend Section 5 of an Act approved December 17, 1894, entitled "An Act To establish a Board of Revenue of Lowndes County, Alabama and define the powers and duties of said Board of Revenue."

Also:

S. 617. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; increasing the jurisdiction of the inferior court of such counties and providing additional compensation for the judge thereof for the performance of the additional duties resulting from such increased jurisdiction.

Also:

S. 619. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Chambers County, empowering the governing body of said County to levy and collect, for a period not exceeding twelve years, a special ad valorem tax on real and tangible personal property only, within said County, the proceeds of such tax to be used solely for acquiring, constructing and equipping public school buildings within said County, for paying the principal of and interest on bonds which may be hereafter issued by said County under the provisions of said proposed amendment, and for the redemption of said bonds, and providing for a county-wide election to authorize the levy of said tax, and providing for the issuance and sale of tax anticipation bonds of said County not constituting general obligations of said County.

Also:

S. 622. To authorize all cities or towns in the State of Alabama, having a population of 78,500 and not more than 200,000 according to the last or any subsequent Federal Census to make any compromise or settlement of any paying tax assessment or bill for past due tax on the paving of streets, boulevards or highways adjoining any property owned by any person, firm or corporation within the city limits of such city for such amount and on such terms as in the judgment of the city commission or other governing body may be deemed proper.

Also:

S. 623. To authorize all cities which now have or which may in the future have a population of not less than 78,500 and not more than 250,000 according to the last or any subsequent Federal Census, to use a portion of license taxes from fire insurance companies, and from general license taxes collected, certain percentages sufficient to pay Policemen's and Firemen's Pensions that have been granted and which should be paid out of Pension and Relief Funds set up for them.

Also:

S. 625. Providing that in all cities in the State having a population of not less than seventy eight thousand five hundred and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

Also:

S. 629. To amend Section 467, Title 62 of the Code of Alabama of 1940.

Also:

S. 630. To amend Section 477, Title 62, Code of Alabama of 1940.

Also:

S. 631. To amend Section 476, Title 62 of the Code of Alabama of 1940.

Also:

S. 632. To amend Section 478, Title 62 of the Code of Alabama of 1940.

Also:

S. 633. To provide that all persons who contribute to the Municipal Employees Pension Fund of the City of Mobile provided by Sections 465 through 491, Title 62, Code of 1940 and who have contributed to such funds for at least one full year, shall, upon their voluntary or involuntary separation from employment under circumstances other than circumstances entitling them to benefits, be entitled to repayment from the pension and retirement of amounts contributed by such person to the fund after the date of passage of this Act.

Also:

S. 636. Relating to counties having populations of not less than 28,900 nor more than 29,200 inhabitants; authorizing and directing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

Also:

S. 638. To propose and provide for the submission of or amendment to the Constitution of Alabama; to validate certain local acts relative to Marion County, Alabama.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 686. To declare, designate, and name certain parts of the State Highways as Paradise Drive.

was taken up.

Messrs. High and Andrews offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. NO. 686

Amend Section 1 by striking therefrom the following words and figures:

"or an alternative route along Highway No. 37 from Opelika to Anniston and from Anniston to Huntsville on U. S. 241."

On motion of Mr. Whatley said amendment was laid on the table.

Yeas 24; Nays 8.

Yeas:

Messrs.:  
Benson  
Bonner  
Boutwell  
Byars

Clayton  
Eddins  
Farmer  
Faulkner  
Hollis

Johnson (Chambers)  
Jones  
Larkins  
Locke (Perry)  
McCary

Norrell  
Quarles  
Reneau  
Richardson  
Skidmore

# REGULAR SESSION

1911

Smith Sollie	Thagard	Whatley	Wright	—24
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Nays:

Messrs.: Andrews Fant	Foster High	Johnston (Mobile) Phillips	Pinson Todd	—8
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And said Bill was then read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.: Benson Bonner Boutwell Byars Clayton Eddins Fant Farmer	Faulkner Foster High Hollis Johnson (Chambers) Johnston (Mobile) Jones Larkins Locke (Choctaw)	Locke (Perry) McCary Norrell Phillips Pinson Quarles Reneau Richardson	Robison Skidmore Smith Sollie Thagard Todd Whatley Wright	—33
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Nays: —0

## RESOLUTION

Mr. Quarles offered the following Senate Resolution, to-wit:

S. R. 86. RESOLVED by the Senate as follows:

It is the sense of the Legislature of Alabama that the long-standing rules governing our Alabama Democratic Primaries should be left unchanged in 1952, so that an open primary will be assured and voter-sovereignty will be unabridged.

Resolved further: That we respectfully recommend to the members of our State Democratic Executive Committee that the Alabama Democratic Primaries of 1952 be conducted in the usual open manner, in order that complete freedom of choice shall be guaranteed to all members of the Democratic Party of Alabama.

Which was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 624. To require the governing bodies of cities in this State, which according to the last or any subsequent Federal Census have a population of as much as 78,500 and not more than 250,000 inhabitants, before making final any assessment for any public or improvements, to cause the city clerk to mail a bill therefor to the owner of such property, as shown on the assessment roll or assessment book prepared in accordance with the provisions of Section 530 of Title 37 of the Alabama Code of 1940, and providing further that no defect or alteration in any such bill, nor error in addressing the same, or in the address of the owner, or mistake of the city clerk in sending the bill to the wrong address, nor failure of the owner or addressee to receive the same, shall affect or invalidate any such assessment, and providing that the certificate of the City Clerk appended to the assessment roll, or inserted in the assessment book, to the effect that such clerk has mailed bills in accordance with the require-

ments of this Act, shall in all courts and in all proceedings be taken and considered as prima facie establishing the fact of compliance herewith, and providing a penalty upon any city clerk who shall neglect to perform the duties herein required of him.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Johnston (Mobile), the Senate concurred in and adopted the following House amendment to the Bill, S. B. 624, the title of which is set out in the foregoing Message from the House.

Amend Senate Bill 624 by striking therefrom the words "and not more than 250,000 inhabitants" wherever the same appears therein.

Also amend Section 3 by adding the following: "provided that this Section shall not apply in cities of 250,000 inhabitants or more".

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Norrell	Sollie
Andrews	High	Phillips	Thagard
Boutwell	Johnston (Mobile)	Pinson	Todd
Byars	Jones	Quarles	Whatley
Fant	Larkins	Smith	Wright
Farmer	McCary		

—21

Nays:

—0

### BILLS ON THIRD READING RESUMED

The Bill:

H. 207. To amend Section 350, Title 17, Code of Alabama (1940), which relates to the ballots used in primary elections by providing that the party's emblem, if any, shall be printed at the top of the party's ballot.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Quarles
Andrews	Farmer	Jones	Reneau
Benson	Faulkner	Larkins	Richardson
Bonner	Foster	Locke (Choctaw)	Robison
Boutwell	Golson	Locke (Perry)	Skidmore
Byars	High	Norrell	Sollie
Clayton	Hollis	Phillips	Whatley
Eddins	Johnson (Chambers)	Pinson	Wright

—31

Nays:

—0

The Bill:

H. 722. Relating to elections; prohibiting single-shot voting in municipal elections; providing that when two or more candidates are to be elected to the same office, the voter must express his choice for as many candidates as there are places to be filled.



Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Quarles
Andrews	Faulkner	Larkins	Reneau
Benson	Foster	Locke (Choctaw)	Robison
Bonner	Golson	Locke (Perry)	Skidmore
Boutwell	High	McCary	Smith
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Phillips	Whatley
Eddins	Johnston (Mobile)	Pinson	Wright
Fant			

—32

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bills, your signature thereto is requested.

H. J. R. 125. Relative to petitioning Congress to secure release of William N. Oatis.

Also:

H. 452. To effectuate sick leave payments to teachers employed by the Alabama Institute for Deaf and Blind through reimbursements by the State Board of Education to the Alabama Institute for Deaf and Blind from the Minimum Program Fund for payments to substitute teachers employed to replace teachers absent on sick leave during the time the school is in session, and to authorize the State Board of Education to establish a sick leave plan for teachers employed by the Alabama Institute for Deaf and Blind, define sick leave, determine rate of reimbursements for substitute teachers who serve in the place of teachers on sick leave, limit the number of days of sick leave per teacher for which reimbursements may be made, and to make such other rules and regulations as may be necessary for the effective operation of this act.

Also:

H. 580. Relating to counties having populations of not less than fourteen nor more than sixteen thousand inhabitants according to the last or any subsequent federal census; authorizing the governing body of any such county to provide for the appointment by the sheriff of a deputy sheriff in addition to all other deputies provided by law.

Also:

H. 660. Relating to Calhoun County: To prescribe the compensation of the Circuit Clerk of Calhoun County, placing him on a salary, providing for clerical assistance, office space and equipment for him, and repealing Act No. 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 107).

Also:

H. 880. To apply only in cities having a population of more than 250,000 inhabitants according to the last Federal Decennial Census, or any subsequent Federal Decennial Census; to authorize and empower the City Commission or other governing body of any city having a population of more than 250,000 inhabitants according to the last Federal De-

cennial Census or any subsequent Federal Decennial Census to contract for and obtain, either by changes or modifications in existing group insurance policies issued under the authority of Act No. 376, General Acts of Alabama, 1947, Page 267, approved August 16, 1947, or by new or substituted group policies issued under authority of said Act, group life, health, accident and hospitalization insurance, or any one or more of said types or forms of such group insurance, for the benefit of the members of said City Commission or other governing body of said City, which shall provide that any member of such City Commission or other governing body of said City electing to become insured under any such group policy during his tenure of office may remain covered and insured under any such policy after retiring or otherwise vacating his office as a member of such City Commission or other governing body of said City, provided he agrees, and said policy or policies provide, that the maintenance and continuation of such insurance shall henceforth be at his sole cost and expense and without any cost or expense to said City; to provide that no such changed, modified, new or substituted policy or policies shall operate to alter or impair benefits or rights conferred upon other officials or employees of said City insured under any such group policy heretofore issued under the authority of said Act No. 376; and to provide that this Act shall not be construed to authorize any such city or governing body thereof to anticipate or participate in anticipating payment of premiums on any such group policy for or on behalf of any member of the governing body thereof, before such premiums become due, nor to fully pay up or participate in fully paying up all premiums on any such policy so as to make same a fully paid up policy for or on behalf of any such member of such governing body prior to or at the time of his retirement from such governing body.

Also:

H. 891. To amend Section 189 of Title 51 of the Code of Alabama of 1940 with reference to the Tax Collector keeping his Court House office open and visiting precincts for the collection of taxes.

Also:

H. 966. Relating to Choctaw County: To create and establish in Choctaw County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Choctaw County"; defining its jurisdiction; providing it with officers; defining their powers, duties, salary, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process, and the return of warrants thereto: abolishing the existing Inferior Court of Choctaw County and providing for the transfer and trial of cases pending in the abolished Inferior Court at the time this Act takes effect to the newly-created Inferior Court of Choctaw County.

Also:

H. 978. To define, regulate and license barbers and barber colleges, and other like businesses in counties of the State of Alabama having a population of four hundred thousand or over, according to the last or any subsequent Federal Census; to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Also:

H. 991. To levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a popu-

lation of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act.

Also:

H. 999. Relating to Franklin County: To fix the compensation of the Coroner.

Also:

H. 1004. To alter and rearrange the corporate limits of the City of Sylacauga in Talladega County, Alabama, by excluding from the corporate limits of said city certain territory, and also by extending the corporate limits of said City to include certain other territory:

Also:

H. 1005. To amend and extend the corporate limits of the city of Fort Payne, Alabama.

Also:

H. 1010. Relating to counties having a population of not less than twenty-seven thousand one hundred fifty nor more than twenty-eight thousand eight hundred inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a division of any such county into forest-protection districts; imposing extra, new and additional duties upon the president or chairman and members of the county governing body with respect to such districts, and providing additional compensation for the performance of such additional duties.

Also:

H. 1015. To amend Section 2 of an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof, and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only during the term of office of the sheriff appointing such deputy, approved May 28, 1931, reported, Local Acts Alabama 1931, pages 83-84.

Also:

H. 1019. To create and establish in Escambia County, Alabama, in lieu of the county court and the juvenile court, a court of record with

county-wide jurisdiction of certain criminal cases and certain civil actions, causes, matters, proceedings, and cases; defining its jurisdiction and authority; providing it with officers and prescribing their duties and authority; regulating its procedure; and fixing the costs and charges collectible therein.

Also:

H. 1020. Relating to the Court of Common Pleas of Elmore County: To provide that the Judge of the Court of Common Pleas of Elmore County, Alabama, shall have power and authority to issue, hear and determine writs of habeas corpus, that the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be, provided by law, shall prevail in the Court of Common Pleas of Elmore County, that the Judge of the Court of Common Pleas of said County shall have the same power and authority relating to such writs as is now or hereafter may be conferred upon the Judges of the Circuit Court of Alabama, and that such power and authority shall extend to all cases where the Judges of the Circuit Courts of Alabama have authority to grant such writs.

Also:

H. 1021. To Amend Sections 1, 3, 4, 5, 6, 7, 10, 13, 14, 17, 19, 22, 23, 27, 31, 32, 34, 36 of An Act Entitled, An Act "To Establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transactions of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," approved June 27, 1947.

Also:

H. 1023. To authorize the Colbert County Hospital Board to convey to Colbert County any portion of the real estate or interest therein owned by said hospital board which its board of directors may determine is not used for the purposes for which said board was organized.

Also:

H. 1024. To authorize the governing body of Mobile County, Alabama, to reimburse the Tax Collector of Mobile County, his agents or employees, to the extent of a sum not exceeding Six Hundred Dollars (\$600.00) per annum, for necessary automobile expenses incurred by use of private automobile in collecting or attempting to collect ad valorem taxes on personal property as shown by the current annual Abstract of Assessments on file in such office; to provide how and in what manner claim for such expenses shall be filed and paid, and when this act shall go into effect.

Also:

H. 1029. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson, in Clarke County, Alabama.

Also:

H. 1032. To provide for a chief deputy sheriff and deputy sheriffs in all counties having a population of between 45,000 and 50,000 persons and to fix their compensation and to require payment of the same by the county governing body.

Also:

H. 1033. Relating to Lamar County; to fix the traveling expense allowance of the County Superintendent of Education.

Also:

H. 1034. To allow the Sheriff of DeKalb County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Fund of DeKalb County in monthly installments.

Also:

H. 1042. To authorize the governing body of Morgan County, Alabama to impose an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

Also:

H. 1043. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

Also:

H. 1044. Relating to counties having a population of more than four hundred thousand inhabitants prescribing witness fees for deputies sheriff subpoenaed in certain cases, and providing for the disposition thereof.

Also:

H. 1045. To amend Section 2 of Act No. 29, H. 159, approved June 27, 1947 (Local Acts of Alabama, 1947, page 23), which provides for an additional deputy sheriff in Chambers County.

Also:

H. 1046. Relating to Baldwin County; providing that the judge of the circuit court of Baldwin County shall be, ex officio, judge of the juvenile court.

Also:

H. 1047. Relating to Baldwin County: to authorize the governing body of Baldwin County to levy an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Baldwin County; providing for the assessment, collection and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor.

Also:

H. 1052. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; fixing the salaries of the chairman and associate members of the civil service boards of such counties.

Also:

H. 1053. Relating to counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants; authorizing the county governing body to pay the premiums on the official bonds of certain county employees.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 247. To provide further for purging the registration lists of the names of those electors who have died, become insane, or convicted of crime, or otherwise disqualified as electors under the provisions of the Constitution, by providing for the re-registration of electors registered on or after January 1, 1903.

Was read a third time at length and passed.

Yeas 27; Nays 3.

Yeas:

Messrs.:	Fant	Johnston (Mobile)	Phillips
Andrews	Farmer	Jones	Pinson
Bonner	Foster	Larkins	Quarles
Boutwell	Golson	Locke (Choctaw)	Reneau
Byars	High	Locke (Perry)	Richardson
Clayton	Hollis	McCary	Thagard
Eddins	Johnson (Chambers)	Norrell	Wright

—27

Nays: Messrs.: Benson, Smith and Todd

—3

The Bill:

H. 389. To amend Section 428, of Title 37, of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Reneau
Andrews	Farmer	Locke (Choctaw)	Richardson
Benson	Golson	Locke (Perry)	Robison
Boutwell	High	McCary	Sollie
Byars	Hollis	Norrell	Thagard
Clayton	Johnson (Chambers)	Pinson	Wright
Eddins	Johnston (Mobile)		

—25

Nays:

—0

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 496, with suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 28, 1951.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 496, with suggested executive amendments, as follows:

Amend Section 1 of said bill by striking therefrom the second and third sentences, and substituting in lieu thereof the following:

"Members of the present Board shall continue to serve the terms to which they have been heretofore appointed; provided, however, their respective terms shall terminate as of midnight on June 30th in the years 1951, 1953 and 1955, or when their successors shall have been appointed and shall have qualified. Their respective successors shall be appointed for terms of six years commencing on July 1st in the years 1951, 1953 and 1955, and until their successors shall have been appointed and shall have qualified.

Amend Section 3 of said bill by striking therefrom the words and figures "October 1, 1951", and substituting in lieu thereof the words "immediately upon its adoption and approval by the Governor".

The suggested amendments are made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objection to the bill.

Respectfully,

GORDON PERSONS,  
Governor.

## GOVERNOR'S MESSAGE

On motion of Mr. Johnston (Mobile), the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, which said amendment is set out in the foregoing Message from the Governor, to the bill:

S. B. 496. Relating to the administration of pardons, paroles, and the remission of fines and forfeitures; amending Chapter 1, Title 42, Code of Alabama (1940).

Yeas 31; Nays 0.

Yeas:

Messrs.:  
Andrews  
Benson

Bonner  
Boutwell  
Clayton

Eddins  
Fant  
Farmer

Faulkner  
Golson  
High

Hollis	Locke ( <i>Choctaw</i> )	Pinson	Skidmore
Johnson ( <i>Chambers</i> )	Locke ( <i>Perry</i> )	Quarles	Sollie
Johnston ( <i>Mobile</i> )	McCary	Reneau	Thagard
Jones	Norrell	Richardson	Todd
Larkins	Phillips	Robison	Wright

—31

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Reneau
Andrews	Faulkner	Locke ( <i>Choctaw</i> )	Richardson
Benson	Golson	Locke ( <i>Perry</i> )	Robison
Bonner	High	McCary	Skidmore
Boutwell	Hollis	Norrell	Sollie
Clayton	Johnson ( <i>Chambers</i> )	Phillips	Thagard
Eddins	Johnston ( <i>Mobile</i> )	Pinson	Todd
Fant	Jones	Quarles	Wright

—31

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 797. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Also:

H. 921. Relating to cities having populations of not less than 50,000 nor more than 100,000 inhabitants; creating and establishing within such cities a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees of such cities.

Also:

H. 965. Relating to the mode of cancelling teachers' contracts; amending Section 357, Title 52. Code of Alabama (1940).

Also:

H. 1025. To authorize and empower the circuit clerk of Chilton County, Alabama, to appoint a deputy clerk, and to fix the salary and to provide the method of payment of salary.

Also:

H. 1026. To authorize the Sheriff of Chilton County, Alabama to appoint one special deputy, fix his tenure of office, prescribe his duties,



fix his compensation and to authorize and require the Court of County Commissioners to pay the same by warrant drawn on the treasurer and to be paid out of the general funds of said County, and to require said deputy to give bond in the sum of \$2,000.00 payable to said sheriff with conditions as required by Section 35, Title 41, 1940 Code of Alabama, and to repeal Local Act No. 324, approved September 2, 1935 and appearing in Local Acts 1935 on page 198.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 811. Relating to license inspectors and their duties; amending Section 835, Title 51, Code of Alabama (1940).

Was read a third time at length and passed.

Yeas 27; Nays 2.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Richardson
Benson	Faulkner	Locke (Perry)	Robison
Boutwell	High	McCary	Skidmore
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Pinson	Thagard
Eddins	Jones	Quarles	Todd
Fant	Larkins	Reneau	Wright

—27

Nays: Messrs.: Bonner and Golson

—2

The Bill:

H. 217. To regulate spending in the State Highway Department after October 1st next preceding the end of an administration.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Boutwell	Golson	McCary	Sollie
Byars	High	Norrell	Thagard
Clayton	Hollis	Phillips	Todd
Eddins	Johnson (Chambers)	Pinson	Whatley
Fant	Jones	Quarles	Wright
Farmer	Larkins	Reneau	

—30

Nays:

—0

The Bill:

H. 641. Relating to the Office of Sheriff of Calhoun County: Pro-

viding for the furnishing of necessary supplies, materials, and equipment to the Sheriff; relieving the Sheriff of the payment of certain court costs in cases in which he is a party defendant in his official capacity; relieving the Sheriff of liability for certain wrongful acts or omissions of his assistants; requiring the County to pay the premiums on the official bonds of the Sheriff and his assistants; authorizing the Sheriff to employ an attorney to advise and represent him and his assistants and providing for the payment of the compensation of such attorney; authorizing the Sheriff to appoint special deputies sheriff without expense to the County; and repealing Section 4 of Act No. 185, H. 498, approved July 24, 1947 (Local Acts of Alabama, 1947, page 101) as amended by Act No. 298, H. 798, approved July 28, 1949 (Acts of Alabama, 1949, page 434).

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amend H. B. 641 as follows:

"In Section 1, insert a comma following the word "equipment" and add the following: "including uniforms",

In Section 6, By adding immediately following the word, "fix", the words, "not exceeding \$1200 a year,"

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Andrews	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Quarles	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays: —0

Mr. McCary then offered the following amendment to the Bill, as amended, to-wit:

#### AMEND HOUSE BILL NO. 641

By adding to Section 1 of said Bill the following:

One such automobile shall be clearly identified as a county patrol, and used to patrol the county roads of Calhoun County.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Sollie	
Andrews	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Quarles	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Sollie	
Andrews	Farmer	McCary	Thagard	
Boutwell	Golson	Norrell	Todd	
Byars	High	Quarles	Whatley	
Clayton	Hollis	Smith	Wright	
Eddins	Jones			—21

*Nays:*

—0

The Bill:

H. 700. Relating to the City of Anniston: To establish a Policemen's and Firemen's Retirement Fund; providing for the resources, management and administration of the Fund, including the payment into the fund by electric, gas, telephone, telegraph and bus transportation public utilities of a license tax equal to one-half of one per cent of the gross revenue of such utilities derived from services rendered within the corporate limits and police jurisdiction of the city; and for the transfer of all monies or property of any similar fund to it; creating a Board of Trustees of the Policemen's and Firemen's Retirement Fund and providing for its organization, powers, duties and functions; providing for the retirement of and payment of benefits to members of the police and fire departments and their dependents and survivors; providing for the payment of disability benefits to disabled members of the police and fire departments; providing for appeals from final decisions of the Board of Trustees; and repealing Act No. 365, H. 601, approved July 6, 1945 (General Acts of Alabama, 1945, p. 581) and all other conflicting laws.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amend H. B. 700

By striking from subsection (g) of Section 14 the following "shall not be in excess of,"

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Quarles	
Andrews	Farmer	McCarv	Smith	
Boutwell	Golson	Norrell	Sollie	
Byars	High	Phillips	Thagard	
Clayton	Hollis	Pinson	Todd	
Eddins	Jones			—21

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Fant	Larkins	Quarles
Andrews	Farmer	McCary	Smith
Boutwell	Golson	Norrell	Sollie
Byars	High	Phillips	Thagard
Clayton	Hollis	Pinson	Todd
Eddins	Jones		

—21

*Nays:*

—0

*The Bill:*

H. 534. To amend Section 191, Title 26, 1940 Code of Alabama, as amended, relating to the definition of wages under the State Unemployment Compensation Law.

Was read a third time at length and passed.

Yeas 28; Nays 0.

*Yeas:*

Messrs.:	Foster	McCary	Robison
Andrews	High	Norrell	Skidmore
Benson	Hollis	Phillips	Smith
Boutwell	Johnson (Chambers)	Pinson	Sollie
Clayton	Johnston (Mobile)	Quarles	Thagard
Eddins	Jones	Reneau	Whately
Fant	Locke (Perry)	Richardson	Wright
Farmer			

—28

*Nays:*

—0

## MESSAGE FROM THE HOUSE

*Mr. President:*

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 125. To amend Sections 1, 2, 3, and 4 of an Act entitled "An Act providing for rural telephone service: Authorizing electric cooperatives to furnish rural telephone service to their members and persons they serve; and enumerating their powers in connection therewith; providing that such powers are exclusive; providing that electric cooperatives shall furnish telephone service subject to the jurisdiction of the Alabama Public Service Commission; imposing additional duties on the Alabama Public Service Commission in connection with effectuating the provisions of the Act; and providing additional compensation for the members of the Alabama Public Service Commission for the performance of the additional duties imposed by the Act.", approved August 8, 1949.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 125, the title of which is set out in the foregoing Message from the House:

## AMENDMENT TO SENATE BILL NO. 125

Amend Senate Bill No. 125 by adding thereto a new Section 2 to read as follows:

"Section 2. Any cooperative heretofore organized under the provisions of Chapter 3 of Title 18 of the Code of Alabama (1940) for the sole purpose of furnishing telephone service is hereby vested with all the powers and authority conferred on cooperatives by the Act of August 8, 1949 as amended by this Act. No cooperative shall have the right to furnish telephone service in any area or territory in which any cooperative organized prior to the effective date of this Act is authorized to furnish such service under the provisions of the Act of August 8, 1949 as amended by this Act. The organization of any cooperative created prior to the effective date of this Act for the sole purpose of furnishing telephone service is hereby ratified, validated and confirmed and any irregularity in the organization of any such cooperative shall be deemed to be perfected."

Amend Sections 2 and 3 of S. B. No. 125 to read "Section 3" and "Section 4", respectively.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foster	McCary	Skidmore
Andrews	High	Norrell	Smith
Benson	Hollis	Pinson	Sollie
Boutwell	Johnson (Chambers)	Quarles	Thagard
Byars	Jones	Reneau	Whatley
Clayton	Locke (Choctaw)	Richardson	Wright
Fant	Locke (Perry)		

—25

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Gentle, Reynolds (Madison), Eslick, Crocker:

H. 81. To provide State aid in the promotion of agricultural interest throughout the State through bona fide agricultural fairs, livestock shows, and other agricultural and industrial exhibits and to prescribe the manner in which funds appropriated for that purpose shall be disbursed.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 81—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 438. To amend Sections 4, 19, 23, 24, 25, and 36, Title 29, Code of Alabama 1940 which relates to the Alabama Alcoholic Beverage Control Board regulating intoxicating liquor.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Givhan, Brannan, Faulk, Kaul, White (Covington), and Kendall:

H. J. R. 129. Whereas, the legislative committee to investigate the administration of the granting of pardons and paroles created by an Act of the Legislature made a complete and comprehensive report of its activities to the Legislature on July 24, 1951, and

Whereas, the committee's report is complete, thorough, authoritative, fair and accurate and is the result of diligent, conscientious, long and careful labor on the part of the members of the committee, and

Whereas, the members of the committee conducted the investigation and business of the committee and made its report with scrupulous regard for the principles of fairness, impartiality and for the rights of all parties concerned, and

Whereas, the members of the Legislature feel that the people of Alabama are indebted to the members of the committee for their excellent and constructive service and outstanding contributions to the cause of honest government and the proper administration of the laws in the State, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING,

That the members of the Legislature do hereby express their complete confidence in the committee and its findings, and do commend the members thereof for their efforts and express their appreciation to them for their invaluable services.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Boutwell the Rules were suspended and the Resolution, H. J. R. 129, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 532. To amend Section 212 of Title 26, 1940 Code of Alabama as amended, relating to military service benefits.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Richardson
Andrews	Foster	Larkins	Robison
Benson	High	Locke (Choctaw)	Skidmore
Boutwell	Hollis	Norrell	Thagard
Byars	Johnson (Chambers)	Pinson	Whatley
Clayton	Johnston (Mobile)	Quarles	Wright
Fant			

Nays:

—0

The Bill:

H. 533. To amend Section 251, Title 26, 1940 Code of Alabama, relating to penalties for violations of the State Unemployment Compensation Law.

was taken up.

Mr. Skidmore offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR HOUSE BILL 533

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 251, Title 26, 1940 Code of Alabama, relating to penalties for violations of the State Unemployment Compensation Law.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 251, Title 26, 1940 Code of Alabama, is hereby amended to read as follows:

S 251. Penalties—

A. Whoever wilfully makes a false statement or representation, or who wilfully fails to disclose a material fact to obtain or increase any benefit or payment under this Chapter, or under an unemployment insurance law of any other state or government, either for himself or for any other person, whether such benefit or payment is actually received or not, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five nor more than two hundred fifty dollars, or by imprisonment for not longer than three months, or by both such fine and imprisonment, and each such false statement or representation shall constitute a separate and distinct offense.

B. Any officer or agent of employer, or any employer who is an individual, who wilfully makes a false statement or representation to avoid his employer or himself becoming or remaining subject to this Chapter for contributions, or to reduce any contribution or other payment required of such employer or him under this Chapter, or who wilfully fails or refuses to make any such contributions or other payments as lawfully required hereunder, or who induces any employee to waive any rights under this Chapter, or any officer or agent of an employing unit, or any employing unit who is an individual, who refuses to furnish any reports duly required hereunder or to appear or testify or produce records as lawfully required hereunder, shall upon conviction be punished by a fine of not less than twenty-five nor more than two hundred fifty dollars or by imprisonment for not longer than three months, or by both such fine and imprisonment, and each such false statement or representation and each day of such failure or refusal, and each such inducement shall constitute a separate and distinct offense.

C. If the Director finds that any fraudulent misrepresentation has been made by a claimant with the object of obtaining benefits under this Chapter to which he was not entitled, then, in addition to any other penalty or prosecution provided under this Chapter, the Director may declare that there shall be deducted from any benefits to which such claimant might become entitled during his present benefit year and or next subsequent benefit year, an amount not less than four times his weekly benefit amount and not to exceed four hundred forty dollars. The Director shall notify the claimant of his finding and decision either

by delivering a copy thereof to him or by mailing a copy, postage prepaid, to his last known address. Unless the claimant shall appeal from said finding or from said decision, or both, within seven calendar days after delivery of such notice to him, or within ten calendar days after such notice was mailed to his last known address, postage prepaid, such finding and decision shall become final. If such claimant shall appeal from such finding or decision, or both, within the time specified, the issue or issues shall be referred to an appeals tribunal for hearing, as in other benefit cases, and thereafter the procedure shall be the same as set forth in article 5 of this Chapter.

D. Any person who, by reason of the nondisclosure or misrepresentation by him or by another of a material fact (irrespective of whether such nondisclosure was known or fraudulent), has received any sum as benefits under this Chapter while any conditions for the receipt of benefits imposed by this Chapter were not fulfilled in his case, or while he was disqualified from receiving benefits, shall be liable to have such sum deducted from any future benefits payable to him under this Chapter.

E. Any violation of any provision of this Chapter, for which a penalty is neither prescribed above nor provided by any other applicable statute; shall be punished by a fine of not less than twenty-five nor more than two hundred fifty dollars, or by imprisonment for not longer than three months, or by both such fine and imprisonment.

F. Prosecutions under this section must be begun within two years from the date of the commission of the offense or offenses described herein.

G. Only such violations defined herein, as occurred after the effective date of this Act shall be governed by the provisions hereof. Violations which occur prior thereto shall be governed by the provisions of Section 251, 1940 Code of Alabama.

Section 2. This Act shall take effect upon its passage by the Legislature and approval by the Governor, or its otherwise becoming a law.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Robison	
Andrews	Foster	Locke (Perry)	Skidmore	
Benson	High	Norrell	Smith	
Bonner	Hollis	Pinson	Sollie	
Boutwell	Johnston (Mobile)	Quarles	Thagard	
Byars	Jones	Reneau	Whatley	
Clayton	Larkins	Richardson		—26

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Boutwell	Farmer	Johnston (Mobile)
Andrews	Byars	High	Jones
Benson	Clayton	Hollis	Larkins
Bonner	Fant	Johnson (Chambers)	Locke (Choctaw)



Locke (Perry)	Quarles	Robison	Sollie	
Norrell	Reneau	Skidmore	Thagard	
Pinson	Richardson	Smith	Whatley	
				—27

Nays: —0

The Bill:

H. 531. To amend Section 240 of Title 26, 1940 Code of Alabama, as amended, relating to the collection of delinquent unemployment compensation taxes.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Robison	
Andrews	Foster	McCary	Skidmore	
Benson	High	Norrell	Smith	
Boutwell	Hollis	Pinson	Sollie	
Byars	Johnson (Chambers)	Quarles	Thagard	
Clayton	Jones	Reneau	Whatley	
Eddins	Larkins	Richardson	Wright	
Fant	Locke (Choctaw)			—29

Nays: —0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Merrill and Brassell:

H. 167. To fix the salary of judges of the circuit court.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 167—To the Committee on Finance and Taxation.

#### REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the thirty-third legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the thirty-third legislative day approved by the Senate.

## ADJOURNMENT

At 4:50 P. M., Mr. Locke (Perry) moved that the Senate do now adjourn until Thursday, August 30, 1951 at 9:30 A. M.

Mr. Thagard moved as a substitute motion that the Senate adjourn until Thursday, August 30, 1951 at 9:00 A. M., which motion was lost.

Yeas 11; Nays 20.

## Yeas:

Messrs.:	Locke (Choctaw)	Quarles	Smith
Johnson (Chambers)	Locke (Perry)	Reneau	Sollie
Johnston (Mobile)	McCary	Robison	Thagard

—11

## Nays:

Messrs.:	Clayton	Hollis	Pinson
Andrews	Eddins	Jones	Richardson
Benson	Fant	Larkins	Skidmore
Bonner	Farmer	Norrell	Whatley
Boutwell	High	Phillips	Wright
Byars			

—20

The question then recurred on the motion of Mr. Locke (Perry) and at 5 o'clock P. M., on motion of Mr. Locke (Perry), the Senate adjourned until Thursday, August 30, 1951 at 9:30 A. M.

Yeas 15; Nays 14.

## Yeas:

Messrs.:	High	Norrell	Smith
Bonner	Hollis	Reneau	Sollie
Eddins	Johnson (Chambers)	Robison	Thagard
Fant	Johnston (Mobile)	Skidmore	Todd

—15

## Nays:

Messrs.:	Byars	Larkins	Richardson
Andrews	Clayton	McCary	Whatley
Benson	Farmer	Phillips	Wright
Boutwell	Jones	Pinson	

—14

## THIRTY-FOURTH LEGISLATIVE DAY

THURSDAY, AUGUST 30, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

## PRAYER

The Session was opened with prayer by Mr. Cecil Perryman, Minister, Cloverdale Church of Christ.

## ROLL CALL

Present:

Messrs.:	Faulkner	Locke (Perry)	Robison
Andrews	Foster	McCary	Skidmore
Benson	High	Norrell	Smith
Bonner	Hollis	Phillips	Sollie
Boutwell	Johnson (Chambers)	Pinson	Thagard
Byars	Johnston (Mobile)	Quarles	Todd
Clayton	Jones	Reneau	Whatley
Eddins	Larkins	Richardson	Wright
Farmer	Locke (Choctaw)		

—33

## JOURNAL

On motion of Mr. Robison, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 641. Relating to the Office of Sheriff of Calhoun County: Providing for the furnishing of necessary supplies, materials, and equipment to the Sheriff; relieving the Sheriff of the payment of certain court costs in cases in which he is a party defendant in his official capacity; relieving the Sheriff of liability for certain wrongful acts or omissions of his assistants; requiring the County to pay the premiums on the official bonds of the Sheriff and his assistants; authorizing the Sheriff to employ an attorney to advise and represent him and his assistants and providing for the payment of the compensation of such attorney; authorizing the Sheriff to appoint special deputies sheriff without expense to the County; and repealing Section 4 of Act No. 185, H. 498, approved July 24, 1947 (Local Acts of Alabama, 1947, page 101) as amended by Act No. 298, H. 798, approved July 28, 1949 (Acts of Alabama, 1949, page 434).

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 700. Relating to the City of Anniston: To establish a Policemen's and Firemen's Retirement Fund; providing for the resources, management and administration of the Fund, including the payment into the fund by electric, gas, telephone, telegraph and bus transportation public utilities of a license tax equal to one-half of one per cent of the gross revenue of such utilities derived from services rendered within the corporate limits and police jurisdiction of the city; and for the transfer of all monies or property of any similar fund to it; creating a Board of Trustees of the Policemen's and Firemen's Retirement Fund and providing for its organization, powers, duties and functions; providing for the retirement of and payment of benefits to members of the police and fire departments and their dependents and survivors; providing for the payment of disability benefits to disabled members of the police and fire departments; providing for appeals from final decisions of the Board of Trustees; and repealing Act No. 365, H. 601, approved July 6, 1945 (Gen-

eral Acts of Alabama, 1945, p. 581) and all other conflicting laws.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 533. To amend Section 251, Title 26, 1940 Code of Alabama, relating to penalties for violations of the State Unemployment Compensation Law.

R. T. GOODWYN, JR.,  
Clerk.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills and resolution with the engrossed and original bills and resolution, respectively, and finds same correctly enrolled, to-wit:

S. 125. To amend Sections 1, 2, 3, and 4 of an Act entitled "An Act providing for rural telephone service: Authorizing electric cooperatives to furnish rural telephone service to their members and persons they serve; and enumerating their powers in connection therewith; providing that such powers are exclusive; providing that electric cooperatives shall furnish telephone service subject to the jurisdiction of the Alabama Public Service Commission; imposing additional duties on the Alabama Public Service Commission in connection with effectuating the provisions of the Act; and providing additional compensation for the members of the Alabama Public Service Commission for the performance of the additional duties imposed by the Act.", approved August 8, 1949.

Also:

S. 438. To amend Sections 4, 19, 23, 24, 25, and 36, Title 29, Code of Alabama 1940 which relates to the Alabama Alcoholic Beverage Control Board regulating intoxicating liquor.

Also:

S. 612. To make an appropriation to the Department of Public Safety for each of the years ending September 30, 1952 and September 30, 1953.

Also:

S. 621. To create in all cities in the State of Alabama, having a population of not less than seventy-eight thousand five hundred and not more than two hundred fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as "Municipal Employees Pension and Relief Funds;" to provide for the setting apart of such funds; to create a pension and relief system applicable to all municipal employees in such cities, except policemen and firemen; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief; and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to

provide payments for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a capitol board of pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Also:

S. 624. To require the governing bodies of cities in this State, which according to the last or any subsequent Federal Census have a population of as much as 78,500 before making final any assessment for any public or improvements, to cause the city clerk to mail a bill therefor to the owner of such property, as shown on the assessment roll or assessment book prepared in accordance with the provisions of Section 530 of Title 37 of the Alabama Code of 1940, and providing further that no defect or alteration in any such bill, nor error in addressing the same, or in the address of the owner, or mistake of the city clerk in sending the bill to the wrong address, nor failure of the owner or addressee to receive the same, shall affect or invalidate any such assessment, and providing that the certificate of the City Clerk appended to the assessment roll, or inserted in the assessment book, to the effect that such clerk has mailed bills in accordance with the requirements of this Act, shall in all courts and in all proceedings be taken and considered as prima facie establishing the fact of compliance herewith, and providing a penalty upon any city clerk who shall neglect to perform the duties herein required of him.

Also:

S. 626. To create in all cities in the State of Alabama having a population of not less than seventy-eight thousand five hundred and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as "Policemen's and Fireman's Pension and Relief Funds" to provide for the setting apart of such funds, to create a Pension and Relief System applicable to the members of the Police and Fire Departments in said cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise: to provide payments for disabled members of the Police and Fire Departments in said cities during their disability, and for the retirement of such members on pension either by reason of term of office or disability; to provide for the pensioning of members of such Police and Fire Departments after service therein; to provide for the appropriation for funeral expenses upon the death of such member: to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds, and for the appointment of trustees and a board of pensions for all purposes in connection herewith; to provide penalties for violations of the provisions

of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Also:

S. 628. To amend Sections five, eight and eleven of an Act entitled An Act, to abolish the Board of Revenue of Baldwin County, Alabama to establish in lieu thereof a Commission form of Government for such County to consist of a Commission of four members and to be a Court of Record and to be known as the County Commission; to provide for the designation, appointment and election of the members thereof and prescribe and limit their duties, powers, jurisdiction, authority and privileges; and to authorize and direct them to distribute the duties, powers, jurisdiction, authority and privileges of such County Commission into four divisions as follows: First, Chairman and Purchasing Division; Second, Road and Bridge Division; Third, Finance and Taxation Division; Fourth, Industrial and Civic Division; to fix the qualification of the members of such Commission, their term of office and their compensation; and to divide the County of Baldwin into Four Commission Districts, and to provide that members of such County Commission be designated, appointed or elected, one from each of said Commission Districts, Approved May 29, 1931, Local Acts 1931, pages 100 et seq.

Also:

S. J. R. 83. Relative to: Opposing the efforts of the Price Stabilizer, Mr. DiSalle, and reducing further the price of beef cattle.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bills your signature thereto is requested.

H. J. R. 129. Relative to expressing confidence in legislative committee to investigate pardons and paroles and appreciation of its work.

Also:

H. 217. To regulate spending in the State Highway Department after October 1st next preceding the end of an administration.

Also:

H. 532. To amend Section 212 of Title 26, 1940 Code of Alabama as amended, relating to military service benefits.

Also:

H. 534. To amend Section 191, Title 26, 1940 Code of Alabama, as amended, relating to the definition of wages under the State Unemployment Compensation Law.

Also:

H. 641. Relating to the Office of Sheriff of Calhoun County: Providing for the furnishing of necessary supplies, materials, and equipment to the Sheriff; relieving the Sheriff of the payment of certain court costs in cases in which he is a party defendant in his official capacity; relieving the Sheriff of liability for certain wrongful acts or omissions of his assistants; requiring the County to pay the premiums on the official bonds of the Sheriff and his assistants; authorizing the Sheriff to employ an attorney to advise and represent him and his assistants and providing for the payment of the compensation of such attorney; authorizing the Sheriff to appoint special deputies sheriff without expense to the County; and repealing Section 4 of Act No. 185, H. 498, approved July 24, 1947 (Local Acts of Alabama, 1947, page 101) as amended by Act No. 298, H. 798, approved July 28, 1949 (Acts of Alabama, 1949, page 434).

Also:

H. 531. To amend Section 240 of Title 26, 1940 Code of Alabama, as amended, relating to the collection of delinquent unemployment compensation taxes.

Also:

H. 700. Relating to the City of Anniston: To establish a Policemen's and Firemen's Retirement Fund; providing for the resources, management and administration of the Fund, including the payment into the fund by electric, gas, telephone, telegraph and bus transportation public utilities of a license tax equal to one-half of one per cent of the gross revenue of such utilities derived from services rendered within the corporate limits and police jurisdiction of the city; and for the transfer of all monies or property of any similar fund to it; creating a Board of Trustees of the Policemen's and Firemen's Retirement Fund and providing for its organization, powers, duties and functions; providing for the retirement of and payment of benefits to members of the police and fire departments and their dependents and survivors; providing for the payment of disability benefits to disabled members of the police and fire departments; providing for appeals from final decisions of the Board of Trustees; and repealing Act No. 365, H. 601, approved July 6, 1945 (General Acts of Alabama, 1945, p. 581) and all other conflicting laws.

Also:

H. 811. Relating to license inspectors and their duties; amending Section 835, Title 51, Code of Alabama (1940).

Also:

H. 533. To amend Section 251, Title 26, 1940 Code of Alabama, relating to penalties for violations of the State Unemployment Compensation Law.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

#### REPORTS OF COMMITTEES

Mr. Boutwell, Chairman of the Standing Committee on Finance and

Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Gentle, Reynolds (Madison), Eslick and Crocker:

H. 81. To provide State aid in the promotion of agricultural interest throughout the State through bona fide agricultural fairs, livestock shows, and other agricultural and industrial exhibits and to prescribe the manner in which funds appropriated for that purpose shall be disbursed.

By Messrs. Merrill and Brassell:

H. 167. To fix the salary of judges of the circuit court.

Mr. Thagard, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins (Etowah), Thomason, Tumlin and Morgan (Tuscaloosa) (with amendment):

H. 140. To provide that in all counties having a population of not less than 75,000 nor more than 130,000 according to the preliminary count of 1950 Federal Census or according to any future regular decennial Federal Census, every voter should be entitled to absent himself from any services or employment in which he is then engaged for two consecutive hours between the time of opening and the time of closing the polls without being liable for any penalty except for wages or compensation actually lost; and to provide that each employer shall have the right to schedule such time as such employee absent himself.

Mr. Jones, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pfleger, Gallalee and Wilkins (with notice and proof):

H. 916. To require the Commissioner of Licenses of Mobile County, Alabama, to compile and maintain an accurate card index file arranged alphabetically in the names of all business, occupation, professionals, fishing and hunting licenses issued by the Commissioner of Licenses of Mobile County, and to maintain such a file for the use and information of the public, and to provide for payment of compensation for such service.

By Messrs. Dawkins, Sellers, Tennille and Hall:

H. 950. To amend Section 3 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819), which establishes a county-wide personnel system for all counties of the state having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

By Messrs. Adams (Jefferson), Beatty, Morgan (Jefferson) and Kaul (with notice and proof):

H. 1068. To alter, rearrange and increase the boundaries of the City of Fairfield, Jefferson County, Alabama.

By Messrs. Reynolds (Chambers) and McClendon (with notice and proof):

H. 1074. To amend Local Act No. 271, Local Acts 1915, page 132, entitled "To divide the County of Chambers into four commissioner districts, and to provide for the election of a commissioner for each district,"



approved August 27, 1915; and making the Act operative upon its approval by a majority of the voters of Chambers County voting in a referendum.

By Messrs. Payne and Leonard (with notice and proof):

H. 1077. To create and establish in Talladega County, in lieu of the county court and the juvenile court and the inferior court of Talladega County, Alabama, a court with county-wide jurisdiction of criminal cases, civil actions at law, and of juvenile cases, said court to be known as the Intermediate Court of Talladega County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges, commissions collected therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Talladega County and the Inferior Court of Talladega, Alabama; and providing for the transfer and trial of cases pending in the County Court and Juvenile Court of said County and the Inferior Court of Talladega, Alabama, at the time this Act takes effect, to the Intermediate Court of Talladega County, Alabama.

By Mr. Hawkins (DeKalb) (with notice and proof):

H. 1078. To amend an Act entitled an Act "To transfer the Juvenile Court of DeKalb County, Alabama from the Probate Court of said county to the DeKalb County Court of said county and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support; to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said county; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court, and to allow the Deputy Solicitor of said county \$50.00 per month additional compensation for his attendance and prosecution in said court." Approved August 16, 1949, Act No. 403, Page 575, 1949, General and Local Acts.

By Messrs. Sellers, Hall, Tennille and Dawkins:

H. 1083. To amend Section 546 of Title 62 of the Code of Alabama of 1940 which relates to firemen's pension and relief fund.

By Messrs. Sellers, Hall, Tennille and Dawkins:

H. 1084. To amend Section 19 of Act 781, approved September 28, 1915, as said act is amended by Act 131, approved February 17, 1919, which relates to firemen's pension and relief fund.

By Messrs. Dawkins, Hall, Sellers and Tennille (with notice and proof):

H. 1080. To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

By Messrs. Fite (Walker) and Black:

H. 1086. To amend Section 187 of Title 13 of the Code of Alabama, 1940, as amended, which relates to bailiffs.

By Messrs. Cole and Brassell (with notice and proof):

H. 1087. To validate the payment of certain claims by Russell County, Alabama, or its governing body, for the years 1947 to July 1, 1951, inclusive.

By Messrs. Cole and Brassell (with notice and proof):

H. 1094. To validate the payment of claims upon the General Fund, the Road and Bridge Fund, Gasoline Tax Fund, Farm to Market Road Fund, of Russell County, Alabama, as shown by their numbers in Section 1 of this Act, running through the Calendar years of 1947 to July 1, 1951, inclusive.

By Messrs. Cole and Brassell (with notice and proof):

H. 1088. To repeal Section 4 of An Act approved May 28, 1943.

By Messrs. Cole and Brassell (with notice and proof):

H. 1089. To validate certain expenditures by the governing body of Russell County, Alabama, for the payment of bond premiums for the Deputy Tax Assessor, Deputy Tax Collector, Deputy Circuit Clerk and Deputy Register, Three Deputy Sheriffs and the Chief Clerk in the office of the Judge of Probate.

By Messrs. Cole and Brassell (with notice and proof):

H. 1090. To amend an Act creating an additional Deputy Sheriff for Russell County, Alabama, by repealing Section 3 thereof.

By Messrs. Cole and Brassell (with notice and proof):

H. 1091. To validate certain expenditures and payment of claims by the governing body of Russell County, Alabama.

By Messrs. Cole and Brassell (with notice and proof):

H. 1092. To repeal Section 3 of an Act requiring the Deputy Circuit Clerk of Russell County to enter into bond in the sum of \$5,000, approved May 28, 1943.

By Messrs. Cole and Brassell (with notice and proof):

H. 1093. To repeal Section 3 of an Act providing for the placing of the Deputy Tax Collector and Deputy Tax Assessor of Russell County under a bond of \$1,000.00, approved May 20, 1943.

By Messrs. Bassett and Belcher (with notice and proof):

H. 1095. To amend an Act entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama in supervising the construction, maintenance and up-keep of the roads and bridges in his district and to fix the salary and compensation of said commissioners", approved October 19th, 1932 as amended by Act No. 295, approved June 28th, 1943, and to impose additional duties upon the County Commissioners of Pike County, ex officio.

By Mr. Coburn:

H. 1097. Relating to counties having a population of not less than thirty-eight thousand eight hundred nor more than thirty-nine thousand five hundred inhabitants; creating a School Building Commission in any such county, prescribing its powers, duties, and authority, and providing that such Commission shall have exclusive power to expend funds accruing to the County Board of Education or any other county agency for the construction, equipment, and maintenance of public school buildings.

By Messrs. Solomon and Mathison (with notice and proof):

H. 1099. Relating to Henry County: To authorize the governing body of Henry County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the county.

By Mr. Smith:

H. 1100. Relating to counties having a population of less than thirteen thousand inhabitants; to fix the expense allowance of the county superintendent of education of such counties.

By Mr. Morgan (Tuscaloosa):

H. 1109. To fix the compensation of certain county officers in counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

By Messrs. Morgan (Jefferson), Dumas, Adams (Jefferson), Meeks, Beatty and Kaul:

H. 1101. To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census.

By Messrs. Dumas, Meeks, Beatty, Kaul, Adams (Jefferson), Huey and Morgan (Jefferson):

H. 1102. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of 400,000 or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Messrs. Dumas, Meeks, Beatty, Kaul, Adams (Jefferson), Morgan (Jefferson), and Huey:

H. 1103. To provide for and fix the salaries of members of the Commission or Board of Commissioners (Including the President of such Commission or Board) of each City in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding Federal Census, and to fix the time and regulate the mode of payment of such salaries.

By Messrs. Meeks, Huey, Beatty, Kaul, Adams (Jefferson) and Morgan (Jefferson):

H. 1104. To authorize the Board of Education of each city having a population of 250,000 or more according to the 1940 or any succeeding decennial Federal census to allow vacation leaves to clerical and maintenance employees at any time during the year.

By Messrs. Dumas, Meeks, Beatty, Huey, Kaul, Adams (Jefferson) and Morgan (Jefferson):

H. 1105. To authorize the Board or Boards of Education in each county having a population of 400,000 or more according to the 1940 or any succeeding decennial Federal census to allow vacation leaves to clerical and maintenance employees at any time during the year.

By Messrs. Meeks, Beatty, Huey, Dumas, Kaul, Adams (Jefferson) and Morgan (Jefferson):

H. 1106. Relating to counties having a population of four hundred thousand or more inhabitants; to authorize the assessment of motor vehicles for ad valorem taxation to be commenced on September 15 of each year.

By Messrs. Dumas, Meeks, Beatty, Kaul, Morgan (Jefferson) and Adams (Jefferson):

H. 1107. To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census; and to assign new and additional duties to some of such officers.

By Messrs. Adams (Jefferson), Meeks, Beatty and Huey (with notice and proof):

H. 1108. To alter, rearrange and increase the boundaries of the City of Bessemer, Jefferson County, Alabama, to provide for elections to submit to the qualified voters of the territory or territories to be annexed to said City of Bessemer for their approval or rejection of such alterations and extension.

By Messrs. Sellers, Hall, Tennille and Dawkins:

H. 1082. To provide for and prescribe the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Selden:

H. 50. To provide for taking up and impounding livestock or animals running at large upon State and Federal Aid Highways which have been officially designated as such regularly and customarily patrolled by the State Highway Patrol, or upon the right of ways of such highways.

And ordered same sent forthwith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 50—To the Committee on Agriculture.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 207. To amend Section 350, Title 17, Code of Alabama (1940), which relates to the ballots used in primary elections by providing that the party's emblem, if any, shall be printed at the top of the party's ballot.

Also:

H. 247. To provide further for purging the registration lists of the names of those electors who have died, become insane, or convicted of crime, or otherwise disqualified as electors under the provisions of the Constitution, by providing for the re-registration of electors registered on or after January 1, 1903.

Also:

H. 389. To amend Section 428, of Title 37, of the Code of Alabama of 1940.

Also:

H. 686. To declare, designate, and name certain parts of the State Highways as Paradise Drive.

Also:

H. 722. Relating to elections; prohibiting single-shot voting in municipal elections; providing that when two or more candidates are to be elected to the same office, the voter must express his choice for as many candidates as there are places to be filled.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had

been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 645. To amend Section 363 of Title 37 of the Code of Alabama of 1940 so as to enlarge the powers of cities and towns with respect to water-works plants and systems.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### RESOLUTION

Mr. Todd offered the following Resolution, to-wit:

S. R. 87. Whereas the all-powerful Rules Committee has seen fit to rearrange the Senate's calendar in such a manner that the salary-increasing bill of the Public Service Commissioners will take precedence over more important measures; and

Whereas the great urgency and pressing necessity for the passage of this bill is now fully appreciated in view of the fact that the Commissioners have been busy making their needs known by devoting their entire time to such matter in the lobby since the bill was first introduced; and

Whereas it is now apparent that the Rules Committee, which has by-passed the reasonable salary bill of the Director of Veterans' Affairs, by its action, has set out to kill the Senate politically,

Be It Resolved, that the members of the Rules Committee be authorized, licensed, and empowered to carry guns, pistols, cutlasses, or other deadly weapons in order that they may be able to kill the other Senators literally as well as politically.

Which was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 931, said Governor's message being in words and figures as follows, to-wit:

### MESSAGE FROM THE GOVERNOR

To the House of Representative  
State Capitol  
Montgomery, Alabama  
Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 931, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 28, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 931, with a suggested executive amendment, as follows:

Amend House Bill No. 931 by striking therefrom Section 3 of said bill and substituting in lieu thereof the following:

"Section 3. For the purposes of this Act Calhoun County is hereby divided into four districts as follows: District 1 shall be composed of Precincts 7, 8, 9, 10, 11 and 16; District 2 shall be composed of Precincts 2, 6, 14, 18, 19, 22 and 24; District 3 shall be composed of Precincts 4, 5, 12, 13, 17, 21 and 23; District 4 shall be composed of Precincts 1, 3, 15 and 20."

The suggested amendment is made at the request of the author of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 931, by a vote of Yeas 64, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 931. Relating to Calhoun County: To abolish the County Commission of Calhoun County and create in lieu thereof the Board of Revenue of Calhoun County; providing for its organization and procedures and for the selection, term, compensation, expenses, powers and duties of its chairman and associate members; dividing the county into districts; requiring that the county roads and bridges be constructed, repaired and maintained on a county unit basis, requiring the adoption of a budget for road and bridge construction and repair and prescribing penalties for failure to maintain the roads on a county unit basis or to follow the budget; providing for county purchases and that the Chairman of the Board shall be Purchasing Agent for the county; making it unlawful to use county property or personnel for private purposes or on private property and prescribing penalties and a forfeiture therefor; repealing Act No. 420, S. 387, approved September 13, 1939 (Local Acts of Alabama, 1939, page 252) and Act No. 186, H. 499, approved July 24, 1947 (Local Acts of Alabama, 1947, page 102); and making the Act operative upon its approval by a majority of the voters of Calhoun County voting in a referendum.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas: 60, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. McCary, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B.

931, the title of which and said amendment is set out in the foregoing Message from the House.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Jones	Pinson	
Andrews	Farmer	Larkins	Quarles	
Benson	Faulkner	McCary	Smith	
Boutwell	Foster	Norrell	Sollie	
Byars	High	Phillips	Todd	
Clayton	Hollis			—21

*Nays:* —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	Jones	Pinson	
Andrews	Farmer	Larkins	Quarles	
Benson	Faulkner	McCary	Smith	
Boutwell	Foster	Norrell	Sollie	
Byars	High	Phillips	Todd	
Clayton	Hollis			—21

*Nays:* —0

Which was a majority of the whole number elected to the Senate.

### RESOLUTION

Messrs. Foster and Jones offered the following Resolution, to-wit:

S. J. R. 88. Be it resolved by the Legislature of Alabama, both Houses thereof concurring, That there shall be a Joint Legislative Committee composed of two Senators named by the President of the Senate and three Representatives named by the Speaker of the House to investigate and inquire into the administration, operation, and condition of Bryce Hospital and Partlow State School with a view to recommending to the Legislature at its next regular session legislation relating thereto.

Be it resolved also, That the members of the Committee shall select a chairman and vice-chairman from among their number, they shall meet from time to time during the interim between regular sessions, and each member shall be entitled to his regular legislative compensation and allowances for each day he attends a meeting of the committee—provided that no member shall be entitled to compensation for more than ten days.

And be it resolved further, That the compensation and expenses of the Committee shall be paid out of funds appropriated to the use of the Legislature, on warrants drawn by the Comptroller upon requisitions signed by the committee's chairman.

Which was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Solomon and Harrison (Shelby):

H. 953. To provide for the attendance of witnesses at any hearing to revoke the probation of any defendant on probation.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 953—To the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Miller:

H. 408. To make a contingency appropriation of \$40,000.00 to the Agricultural Center Board from the Agricultural Fund of the State Treasury to be used exclusively for the purpose of aiding in the constructing and equipping by counties and municipalities of facilities suitable for housing fat livestock shows, agricultural and industrial displays and other exhibits consistent with the public good.

Also:

By Mr. Martin:

H. 554. To amend Section 732, Title 37, Code of Alabama (1940), as amended, which relates to the commission of the tax assessor and tax collector for the assessment and collection of municipal taxes.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 408—To the Committee on Finance and Taxation.

H. B. 554—To the Committee on Municipalities and Municipal Organizations.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Shelton and Morgan (Tuscaloosa):

H. 1111. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fer-



mented malt liquor containing one-half of one percentum or more alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of laws in conflict with this act, and to provide when this act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

Notice is hereby given that there will be introduced at the present session of the Legislature a local bill in substance as follows:

### A BILL TO BE ENTITLED AN ACT

To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of laws in conflict with this act, and to provide when this act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Revenue of Tuscaloosa County, Alabama, may levy and collect and place in the General Fund of Tuscaloosa County, Alabama, a privilege tax of not more than one and one-half cents on each twelve fluid ounce or fractional part thereof of malt, or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more of alcohol by volume on all persons, corporations, co-partnerships, companies, agencies and associations selling, distributing, delivering, storing or taking out of storage, for the privilege of selling, storing, delivering, or taking the same out of storage in the County of Tuscaloosa, Alabama. The privilege tax herein levied shall be in addition to all other taxes and licenses now or hereafter imposed by law.

Section 2. The said Board of Revenue may also provide rules and regulations and machinery for the collecting of such privilege tax and provide penalties for the violation of such rules and regulations, and may provide for the collection of said tax by each wholesale storer, seller or distributor of said beverage.

Section 3. All of the net proceeds of said privilege tax collected within said County shall be paid into and become a part of the General Fund of said Tuscaloosa County, Alabama, to be used for governmental purposes of Tuscaloosa County, as other moneys in said General Fund of Tuscaloosa County are now used.

Section 4. This act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Section 5. All laws and parts of laws, general, special or local in conflict with this act are hereby expressly repealed.

Section 6. If any clause, sentence, section or other part of this act should be declared unconstitutional, the same shall not affect the remaining part.

The Tuscaloosa News—July 31—August 7-14-21—4tc.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on July 31, August 7, August 14, and August 21, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me Aug. 22, 1951.

LILLA COLLINS,  
Notary Public.

Also:

By Mr. Edgar:

H. 1061. To provide further for the registration and payment of claims against the fine and forfeiture fund of Choctaw County which were outstanding on June 9, 1945.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that the following local bill will be introduced in the Legislature during the regular session of 1951:

To provide further for the registration and payment of claims against the fine and forfeiture fund of Choctaw County which were outstanding on June 9, 1945.

Be It Enacted by the Legislature of Alabama:

Section 1. All claims which were outstanding against the fine and forfeiture fund of Choctaw County on June 9, 1945, that were not registered as legal claims against the general fund of Choctaw County as provided by Local Act 98, approved June 9, 1945, or Local Act 24, approved June 27, 1947, are revived and are declared to be legal claims against the general fund of Choctaw County provided they are registered with the county treasurer within ninety days after the passage of this Act. Claims shall be paid according to the order of registration. Claims not registered within the time herein specified shall be null and void.

Section 2. This act shall become effective upon its passage and approval by the Governor.

STATE OF ALABAMA  
CHOCTAW COUNTY

I, Matt L. Blount, Publisher of the Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Notice as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue date July 26th, 1951, and ending with the issue dated August 16th, 1951. I further certify that I have the right and authority to make this affidavit.

MATT L. BLOUNT.

Sworn to and subscribed before me this, the 16th day of August, 1951.

JOHN Y. CHRISTOPHER,  
Notary Public, Choctaw County, Alabama.

My com. expires April 5, 1953.

Also:

By Messrs. Shelton and Morgan (Tuscaloosa):

H. 1112. To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling Liquor, Malt or Brewed Beverages, as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the present session of the Legislature reading substantially as follows, to-wit:

### A BILL TO BE ENTITLED AN ACT

To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling "Liquor, Malt or brewed beverages," as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

Be It Enacted by the Legislature of Alabama:

Section 1. Each city or town within the County of Tuscaloosa may levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling "Liquor, Malt or brewed beverages," as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like manner and

amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.  
Tuscaloosa News, July 31—August 7-14-21—4tc.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on July 31, August 7, August 14, and August 21, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me Aug. 22, 1951.

LILLA COLLINS,  
Notary Public.

Also:

By Messrs. Morgan (Tuscaloosa) and Shelton:  
H. 1113. For the relief of George Aster Scrivner.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that there will be introduced at the present session of the Legislature of Alabama a local bill in substance as follows:

##### A BILL TO BE ENTITLED AN ACT

For the relief of George Aster Scrivner.

WHEREAS, George Aster Scrivner, while in the course of his employment by Tuscaloosa County, on June 26, 1951, received an injury which resulted in the loss of the first finger and the second finger of his left hand, and as a consequence thereof he is permanently partially disabled, THEREFORE

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Tuscaloosa County is authorized and directed to pay out of any funds in the county treasury not otherwise obligated or appropriated the sum of Eighteen Hundred and no/100 (\$1800.00) Dollars to George Aster Scrivner as compensation for the loss of the first finger and the second finger of his left hand in the course of his employment by Tuscaloosa County.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Tuscaloosa News—July 31—August 7-14-21—4tp.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on July 31, August 7, August 14, and August 21, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me Aug. 21, 1951.

LILLA COLLINS,  
Notary Public.

Also:

By Messrs. Morgan (Tuscaloosa) and Shelton:  
H. 1114. For the relief of R. E. LeSueur.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that there will be introduced at the present session of the Legislature of Alabama, a Bill in substance as follows:

A BILL  
TO BE ENTITLED  
AN ACT

For the relief of R. E. LeSueur.

WHEREAS, R. E. LeSueur, an employee of Tuscaloosa County, received personal injuries in the course of his employment by Tuscaloosa County on August 5, 1948, and as a consequence thereof he is permanently, partially disabled and has received no compensation for such injury, THEREFORE,

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Tuscaloosa County is hereby authorized and directed to pay out of any funds in the County Treasury of Tuscaloosa County not otherwise appropriated or obligated, the sum of One Thousand (\$1,000.00) Dollars to R. E. LeSueur as compensation for his permanent, partial disability, received in the course of his employment by Tuscaloosa County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Tuscaloosa News  
Aug. 1—8—15—22—4tc

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circula-

tion published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on August 1, August 8, August 15, and August 22, all in the year 1951.

BUFORD BOONE.

Sworn to and subscribed before me Aug. 22, 1951.

LILLA COLLINS,  
Notary Public.

Also:

By Mr. Coburn:

H. 1116. Proposing an amendment to the Constitution of Alabama relating to Colbert County

Also:

By Mr. Plott:

H. 1117. To repeal an Act of the Legislature of Alabama, approved July 22, 1949, being House Bill 732, Act No. 274 of the 1949 Acts of the Legislature of Alabama, Pages 400 and 401.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE OF PROPOSED LOCAL LAW

STATE OF ALABAMA  
CHILTON COUNTY

TO WHOM IT MAY CONCERN:

Notice is hereby given that application will be made at the present session of the Legislature of Alabama for the enactment of the following local law, in substance, as follows:

A Bill entitled "An Act" to repeal an Act of the Legislature of Alabama, approved July 22, 1949, being House Bill 732, Act No. 274 of the 1949 Acts of the Legislature of Alabama, Pages 400 and 401.

Be It Enacted by the Legislature of Alabama:

Section I: That the Act of the Legislature of Alabama, approved July 22, 1949, appearing in 1949 Acts of Alabama, pages 400 and 401, being Act No. 274, be and the same is hereby repealed.

Section II: That the corporate limits and boundary lines of the Town of Jemison, Chilton County, Alabama, shall be and remain the same as they existed prior to the passage of said local act.

B. S. FREDERICK,  
H. WILSON,  
PERRY PEOPLES,  
F. COFER,  
CHARLIE PORTER.

31-4tp

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the Chilton County News, a newspaper published at Clanton, County of Chilton, State of Alabama, who being duly sworn, states on oath that the advertisement,

a true copy of which is hereto attached, was published in said newspaper in its issues of 2 day of August, 1951; 9 day of August, 1951; 16 day of August, 1951; 23 day of August, 1951.

R. M. TUCKER,  
Publisher.

Subscribed and sworn to before me this 23 day of August, 1951.

J. C. BENNETT,  
Notary Public.

Also:

By Mr. Plott:

H. 1118. Relating to Chilton County: To establish the Board of Revenue and Control of Chilton County and to abolish the Court of County Commissioners of Chilton County; providing for the composition of the Board and for the selection, term, compensation and bond of its members; prescribing the functions, powers, duties and authority of the Board; providing for the employment by the Board of a Clerk and a County Engineer and prescribing their powers, duties, authority and the amount of their bonds; providing for county purchases and prescribing a procedure therefor; to provide for the setting aside of road funds by the Board and for the expenditure thereof; providing for the establishment of a contingent fund; and prescribing penalties for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Chilton County: To establish the Board of Revenue and Control of Chilton County and to abolish the Court of County Commissioners of Chilton County; providing for the composition of the Board and for the selection, term, compensation and bond of its members; prescribing the functions, powers, duties and authority of the Board; providing for the employment by the Board of a Clerk and a County Engineer and prescribing their powers, duties, authority and the amount of their bonds; providing for county purchases and prescribing a procedure therefor; to provide for the setting aside of road funds by the Board and for the expenditure thereof; providing for the establishment of a contingent fund; and prescribing penalties for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby created and established in and for the County of Chilton, in the State of Alabama, a Board of Revenue and Control, sometimes, hereinafter referred to as the Board, which said Board shall be the governing body of Chilton County, Alabama, and shall have and exercise all of the powers, duties, limitations, and responsibilities, and in the same manner, and its members subject to all penal provisions of the general laws of Alabama, now in effect, or hereinafter enacted, governing Courts of County Commissioners, and the members thereof, but only in so far as they are consistent with the provisions of this Act.

Section 2. The Board herein created shall be known as "The Board of Revenue and Control of Chilton County, Alabama," and shall take the place of the present Court of County Commissioners of Chilton County which shall cease to exist upon the enactment of this Act, and is hereby abolished.

Section 3. The Board herein created shall consist of a Chairman, and four Associate Members, who shall each and severally be chosen and possess the qualifications as hereinafter set out.

Section 4. The Chairman of the Board herein created shall have and exercise all the powers, duties, limitations and responsibilities with relation to the Board herein created as does the Probate Judge with relation to the courts of county commissioners, under the general laws of this State, except insofar as such powers, duties, limitations and responsibilities may be inconsistent with the provisions of this Act. The Chairman of the Board herein created shall be the Probate Judge of Chilton County, Alabama, and he shall receive for his services hereunder the same compensation as does the Probate Judge for said services under the said general laws.

Section 5. The Associate Members of the Board herein created from districts 3 and 4 as said districts are now constituted, shall be Welch Roebuck and J. M. Dunlap, respectively, who shall each qualify and assume their duties hereunder immediately upon the approval of this Act, or upon its otherwise becoming a law, and shall hold office until the first Monday after the second Tuesday in January, 1953, and until their successors are elected and qualified; and the Associate Members from districts 1 and 2 as said districts are now constituted, shall be V. O. Lenoir and Harold Smith, respectively, who shall each qualify and assume their duties hereunder, immediately upon the approval of this Act, or upon its otherwise becoming a law, and shall hold office until the first Monday after the second Tuesday in January, 1955, and until their successors are elected and qualified.

Section 6. The several associate members of the Board herein created shall receive as compensation for their services the sum of fifteen hundred (\$1500.00) dollars per year, each, payable in monthly installments, and payable out of the treasury of Chilton County.

Section 7. At the General Election immediately prior to the expiration date of the term of office of each of the associate members as they are herein above named, and as is hereinabove provided and every four years thereafter, their successors shall be elected by the qualified voters of the entire County, and the term of office of each associate member so elected shall be for four years, beginning on the first Monday after the second Tuesday in January, following his said election, and until his successor has been elected and qualified.

Section 8. Each associate member of said Board shall be nominated by the voters of the entire County who are authorized to participate in any Primary Election, caucus, or convention, called or held by any political party for the nomination of said office, and their nomination by the qualified voters of the district, or of any subdivision of said County less than the whole County, by any primary election, caucus, or convention, is hereby prohibited. Each said associate member shall be a resident and qualified voter of the district for which he is elected, and shall reside in said district continuously during the term of his office.

Section 9. Each said district shall be entitled to one associate member on said board, at all times, and should any vacancy occur, such vacancy shall be filled by appointment of the Governor, and the person so appointed shall hold office for the remainder of the term of the place which is vacant.

Section 10. Each member of the Board herein created shall, before entering upon the duties of his office, execute a good and sufficient bond, in the same amount; with the same conditions, which must be approved in the same manner, and must qualify in the same manner in all respects, except in so far as the same may be inconsistent with the provi-



sions of this Act, as is provided under the General Laws of the State of Alabama for the members of the Courts of County Commissioners.

Section 11. The Board herein created shall hold regular meetings on the second and fourth Mondays in each month, at the courthouse in and for Chilton County, Alabama, remaining in session as many days as may be necessary; and may hold special meetings at the call of the Chairman.

Section 12. Action in the name of and under the authority of the Board may be taken by a majority of said board, present and voting at any regular or special meeting, provided that, at least a quorum is in attendance. A quorum shall consist of the Chairman and two other members, or three members other than the Chairman.

Section 13. The Board shall employ a clerk, who shall devote his entire time to the duties of his office, and he shall receive such compensation for his services as may be determined and fixed by the Board, and the Board may employ such other clerical help and assistants as may be deemed necessary for the proper, efficient and economical operation of the Board. The clerk shall enter the minutes of all proceedings of the Board in a well bound book provided him for that purpose, which book shall be kept in the office of the Board, and shall be open to the inspection of the public at all reasonable hours. The minutes of the proceedings of the Board shall be entered and recorded in the minute book within ten days from the adjournment of every regular or special meeting. The clerk shall cause the minutes of each meeting of the Board held in each month to be published in a newspaper of general circulation published in the county not later than the fifteenth day of the following month. He shall also have the minutes of each meeting reproduced within ten days after such meeting and place a sufficient number of copies thereof in a conspicuous place in the office of the Probate Judge for public distribution and shall also post a copy thereof in a conspicuous place in the courthouse. The clerk shall present to the Board at each regular meeting a list of all claims which have been filed against the county. He shall also keep a complete record of all receipts and disbursements of all county funds, and must be prepared at all times to show the exact financial condition of the county.

Section 14. Before entering upon his duties, the clerk shall make and enter into a surety bond in the amount of ten thousand dollars (\$10,000), payable to Chilton County, conditioned upon the faithful discharge and performance of his duties as such clerk, and for the faithful accounting of all monies or property of said county which may come into his possession or custody; said bond to be executed by a surety company authorized and qualified to do business in Alabama, and to be approved by the Chairman of the Board, the premiums thereon to be paid by the county.

Section 15. The Board herein created shall employ a County Engineer, who shall be a thoroughly qualified and competent civil engineer, possessing all of the qualifications as specified for County Engineers under the General Laws of the State of Alabama; and he shall devote his entire time and attention to the maintenance and construction of the Chilton County public roads, highways, bridges and ferries, and shall, during his employment, reside in Chilton County, Alabama.

Section 16. Said County Engineer shall be appointed by the Board from a nomination made by the State Highway Director. If said nomination is not acceptable to said Board the State Highway Director shall be requested to make additional nominations. Should the State Highway Director refuse, or fail to make nominations, the Board may fill the position of County Engineer with any person who has the qualifications herein set out.

Section 17. It shall be the duty of the said County Engineer, (1) to

employ upon approval of the Board, supervise and direct all such assistants as are necessary to properly maintain and construct the public roads, highways, bridges, and ferries of Chilton County, and he shall have authority to prescribe their duties, and to discharge said employees for cause, or when not needed; (2) To perform such engineering and surveying service as may be required, and to prepare and maintain the necessary maps and records; (3) To maintain the necessary accounting records to reflect the cost of the County Highway system; (4) To build, or construct new roads, or change old roads, but only when ordered to do so by proper order of the Board; (5) It shall be his further duty, in so far as is feasible, to construct and maintain all County roads on the basis of the County as a unit, without regard to any district or beat lines.

Section 18. The said County Engineer is hereby designated as the person authorized to make written requisition upon the Board, or its duly designated purchasing agency, for all articles, materials, supplies, and equipment necessary for the maintenance and construction of roads, bridges and ferries in Chilton County.

Section 19. It shall be the duty of the Board to fix, from time to time, in accordance with prevailing economic conditions, the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, bridges, and ferries, and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistants. Provided, however, that should the Board refuse or fail to fix said scale of wages or salaries, said engineer shall request the State Highway Director to fix the same, and the wages or salaries so fixed by the State Highway Director shall not be exceeded in the employment of said labor and assistants; Provided, However, that no person connected by consanguinity within the ninth degree, or affinity within the fifth degree with any member of the Board of Revenue and Control shall be employed by the Board as a whole or any member of the Board, to serve the County in any respect.

Section 20. The Board shall fix the amount of the salary of the said County Engineer, payable in equal monthly installments from the road and highway funds of Chilton County.

Section 21. Before entering upon his duties, the said County Engineer shall make and enter into a surety bond in the amount of seven thousand five hundred (\$7,500.00) dollars, payable to Chilton County, conditioned for the faithful discharge and performance of his duties as such Engineer, and for the faithful accounting of all monies or property of said County, which may come into his possession or custody; said bond to be executed by a surety company authorized and qualified to do business in Alabama, and to be approved by the Chairman of the board, the premiums thereon to be paid by the County.

Section 22. The Board shall furnish the County Engineer with an office at the Court House, or elsewhere, at the County Seat, and all necessary office supplies, and shall furnish him with necessary transportation in connection with his duties under this Act.

Section 23. The County Engineer shall be the custodian of all road tools, machinery, supplies and equipment of Chilton County, and he shall be accountable for the same, at all times. The Board shall furnish the necessary storage facilities in which to keep said tools, machinery, supplies and equipment, and the County Engineer shall keep on files in his office, at all times, an up-to-date inventory, containing a list of all said tools, machinery, equipment and supplies belonging to Chilton County.

Section 24. The authority of said County Engineer shall be limited to the expenditure of such funds for the purpose of construction, main-

tenance or repairs of public roads, bridges, and ferries of Chilton County as may be set aside and appropriated by the Board, as hereinafter provided; it shall be the duty of said Board at some meeting in September of each calendar year, or not later than the first meeting in October following, by order or resolution spread upon the minutes, to fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads, bridges and ferries of Chilton County for the current fiscal year, beginning on October 1st, which said amount, other than the salary of said County Engineer and his necessary expenses, shall not be exceeded by him in building, maintaining and constructing public roads, bridges and ferries in Chilton County during said period; provided, however, that said Board is authorized, from time to time within any such period, to increase the amount so allowed to be expended by said County Engineer during said period, when such authorization will not conflict with provisions of the General Law under the Budget Act, Title 12, section 74, of the Code of Alabama 1940. And, provided, further, that if such funds are presently available, and have not heretofore been set aside by the present Court of County Commissioners of Chilton County, immediately upon the passage and approval of this Act, it shall be the duty of the Board herein created to set aside a sufficient portion of said funds for the maintenance of said roads, bridges, and ferries until the meeting in September or October, 1951, as hereinabove provided for.

Section 25. (a) All purchases for the County shall be made by the Board or its duly authorized agent. The Board, in making purchases, shall obtain at least three written, sealed, competitive bids for all purchases of supplies, materials, equipment and contractual services. Invitations for bids shall be posted on a bulletin board in the courthouse and sent to prospective suppliers at least five calendar days before the final date for submitting bids. Bids shall be opened publicly at a time and place stated in the invitations. The board shall award the purchase to the lowest responsible bidder, or it may reject all bids and renegotiate the purchase when the public interest will be served thereby. Provided, however, that in making such purchases, the Board shall obtain information from the Division of Purchases and Stores of the Department of Finance concerning the price to the State of the items to be purchased, and if the State price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the State Purchasing Agent.

(b) In an emergency purchases of less than fifty dollars (\$50) may be made without obtaining bids and without obtaining information from the Division of Purchases and Stores as hereinabove provided, and purchases in excess of fifty dollars (\$50) may be made without obtaining bids and without obtaining information from the Division of Purchases and Stores if the Chairman and all the members of the board approve the purchase and such approval is shown in the minutes of the board.

Section 26. The County Engineer shall make written requisitions to the Chairman of the Board for all materials, machinery, equipment and necessary supplies needed for the construction, maintenance or repair of the public roads, bridges and ferries of Chilton County. It shall be the duty of the County Engineer to inspect all materials, machinery, equipment and supplies purchased by the County for use on public roads, bridges and ferries, when the same are delivered, and the same shall not be accepted and paid for without first having been approved by him.

Section 27. In the event an emergency should arise, in which it would be impossible for the Board to employ an Engineer, as hereinabove provided for, then, in that event the Board shall employ a competent Road Supervisor who need not be an engineer, but, when so employed, he shall have all the duties and authority of said Engineer, and

be subject to the provisions of this Act; but an emergency shall not exist so long as the State Highway Director can nominate an engineer who will accept employment by said Board under the terms of this Act, it being the intention of this Act to provide that, when County roads are to be maintained or constructed in said County, the supervision thereof shall be either under a County Engineer, as hereinabove provided for, or, by a Road Supervisor, who is not a member of the Board.

Section 28. It shall be the further duty of each associate member of the Board to inspect the roads of his district from time to time, and hear the suggestions and complaints of the citizens, and report the same to the Board with his recommendations; to advise with the County Engineer concerning the problems of his district, particularly; and to assist in securing right of ways, and assist in public relations generally.

Section 29. No county equipment or machinery shall be used on any property not owned by or under the control of the State, the County or a municipality.

Section 30. All the duties imposed on the chairman and members of the board by this Act are mandatory and all the limitations and restrictions imposed on them shall be strictly construed.

Section 31. The chairman or any member of the board or any county employee who uses county equipment, machinery or property contrary to the provisions of this Act or who violates any provisions of this Act shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one thousand dollars (\$1000) and in addition may be imprisoned in the penitentiary for one year and one day.

Section 32. All laws, and parts of laws, in conflict with the provisions of this Act are hereby repealed.

Section 33. Should any section, clause, or part of this Act, be declared invalid it shall not affect any other part thereof.

Section 34. From and after the passage of this Act, it shall be unlawful for the Board or any member thereof to rent or lease any county road-building machinery to any private individual, corporation or association.

Section 35. This Act shall become effective immediately upon its becoming a law.

31-4tc

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the Chilton County News, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of

2 day of August, 1951.  
9 day of August, 1951.  
16 day of August, 1951.  
23 day of August, 1951.

R. M. TUCKER,  
Publisher.

Subscribed and sworn to before me this 23 day of August, 1951.

J. C. BENNETT,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1111, 1061, 1112, 1113, 1114, 1116, 1117 and 1118—To the Committee on Local Legislation.

The above bill, H. B. 1116, was read at length as required by the Constitution.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. McNider:

H. J. R. 127. BE IT RESOLVED by the House of Representatives, the Senate concurring that House Bills No. 609-610 which have been passed by the House of Representatives and Senate be known as McNider and Faulkner Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Locke (Choctaw), the Rules were suspended and the Resolution, H. J. R. 127, set out in the foregoing Message from the House, was adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Faulk:

H. 242. Relating to taxation; to exempt exchanges of cottonseed meal for cottonseed at gins from the sales and use taxes.

Also:

By Mr. Harrison (Shelby):

H. 519. Relating to the registration and licensing of motor vehicles; providing that any bus or other vehicle owned and operated by authority of any church exclusively for the transportation of persons to and from church for participation in church services may be registered and licensed upon the payment of a fee of one dollar.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 242 and 519—To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Adams (Jefferson):

H. 829. To further regulate the practice of Chiropady by making the practice of Chiropady in Commercial place of business unprofessional conduct and providing for the revocation of the license of any Chiropadist found guilty of violating this act.

Also:

By Messrs. Gallalee, Pflieger and Wilkins:

H. 872. To amend "An Act to Abolish Bills of Exception in the Circuit Court and courts of like jurisdiction and all other courts of record having a full time Court Reporter and from which appeals lie directly to the Court of Appeals or the Supreme Court of Alabama in cases at law, and to provide for the evidence to be transcribed and made a part of the record and for assignments of error on the record," approved July 12, 1943.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 829—To the Committee on Public Health.

H. B. 872—To the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Adams (Tallapoosa) and Sellers:

H. 405. Relating to motor vehicles; prescribing maximum rates of speed for operating motor vehicles upon the public highways; and prescribing penalties for violations of this Act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 405—To the Committee on Public Roads and Highways.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Fite (Walker) and Black:

H. 411. To amend Act No. 263, 1945 General Acts of Alabama, page 408. To repeal Sections 70, 71, 72, 73, 74, 75 and 77, Title 8, 1940 Code of Alabama.

Also:

By Messrs. Meeks, Adams (Jefferson), Beatty and Morgan (Jefferson):

H. 652. To fix and designate the salary of Supernumerary Circuit Judges, their tenure of office and to prescribe their duties, and to refund to them their reasonable expenses for travel and hotel bills while engaged in their official duties in counties other than that of their residence.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 411—To the Committee on Fish and Game.

H. B. 652—To the Committee on Finance and Taxation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Bassett:

H. 1122. Providing for an election to be held to determine whether or not the boundaries of the City of Troy in Pike County shall be altered, re-arranged and extended so as to include within the corporate limits of said City all of Section 4 and the East Half of Section 5, Township 9, Range 21, and further providing for the exemption if annexed of farm lands so annexed from city advalorem taxation:

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

#### TO WHOM IT MAY CONCERN:

Take notice that a bill will be introduced in and its passage requested at the present session of the Legislature of Alabama providing for an election to be held to determine whether or not the boundaries of the City of Troy in Pike County shall be altered, rearranged and extended so that in addition to the territory now embraced therein all of Section 4 and the East ½ of Section 5, Township 9, Range 21, shall also be embraced within the corporate limits of said city, and further providing for the exemption, if, annexed, of farm lands, so annexed, from advalorem taxation by the City of Troy, during the time such property is sued for farming purposes, and further providing that each qualified elector who has resided within the boundaries of the territory proposed to be annexed for three months next preceding the election, all owners of land situated within said boundaries may vote at such election, but that no person shall have more than one vote.

STATE OF ALABAMA  
PIKE COUNTY

Before me, Ray S. Ammons, a Notary Public in and for said State and County, personally appeared Glenn Jones, who being sworn deposes and says on oath, that he is the publisher of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice Providing for an election was published in said newspaper 4 times, the same appearing in the issues dated: August 3-10-17-24, 1951.

GLENN JONES,  
Publisher.

Sworn to and subscribed before me this the 24 day of August, 1951.

ROY S. AMMONS,  
Notary Public Pike County, Ala.

Also:

By Messrs. Dumas, Morgan (Jefferson), Huey, Beatty, Adams (Jefferson), Meeks and Kaul:

H. 1110. To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system.

Also:

By Mr. McKee:

H. 1121. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Linden in Marengo County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION  
TO APPLY FOR LOCAL LAW

The following bill will be introduced at the present session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To Alter, rearrange, and extend the boundary lines and corporate limits of the Town of Linden in Marengo County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary and corporate limits of the Town of Linden in Marengo County, Alabama, are hereby altered, rearranged and extended so that all of the lands embraced within the following boundaries are within the corporate limits of such municipality:

Commencing at the NE corner of Sec. 5, Tp. 15, R. 3 E., Marengo County, Alabama, and thence running W. along said Township line for a distance of 2640 ft for a point of the beginning, which is NW corner of NE¼, Sec. 5, Tp. 15, R. 3 E.; thence N. for a distance of 3960 ft. to the



SW corner of NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 32, Tp. 16, R. 3 E., thence W. 2640 ft. to the SW corner of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 32, Tp. 16, R. 3 E.; thence N. 2640 ft. to NW corner of SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 29, Tp. 16, R. 3 E.; thence E. 6600 ft. to NE corner of SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 28, Tp. 16, R. 3 E.; thence S. 2640 ft. to SE corner of NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 33, Tp. 16, R. 3 E.; thence E. 3960 ft. to NE corner of SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 33, Tp. 16, R. 3 E.; thence S. 2640 ft. to NE corner of SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 33, Tp. 16, R. 3 E.; thence E. 2640 ft. to NE corner of SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 34, Tp. 16, R. 3 E.; thence S. 3960 ft. to SE corner of NW $\frac{1}{4}$  of Sec. 3, Tp. 15, R. 3 E.; thence W. 3960 ft. to NW corner of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 4, Tp. 15, R. 3 E.; thence S. 1320 ft. to SE corner of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Sec. 4; thence W. 1320 ft. to SW corner of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Sec. 4; thence S. 1320 ft. to SE corner of SW $\frac{1}{4}$  of said Sec. 4; thence W. 5280 ft. to SW corner of SE $\frac{1}{4}$  of Sec. 5, Tp. 15, R. 3 E.; thence N. 5280 ft. to the point of the beginning; all of which lands in this above stated description are located in Marengo County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

8-2-4tc

#### THE STATE OF ALABAMA MARENGO COUNTY

Before me, T. H. Boggs, a notary public in and for said County, in said State, personally appeared R. E. Sutton, who, being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, Marengo County, Alabama, and that the said Democrat-Reporter is a newspaper of general circulation in Marengo County, Alabama, and that the Notice of Local Bill to Extend Town of Linden, Marengo County, Ala. corporate limits without expense to State of Ala., copy of which is hereto attached, was published in said newspaper, The Democrat-Reporter, for four consecutive weeks, to-wit:—in the issues dated August 2, 1951, August 9, 1951, August 16, 1951, August 23, 1951, and that each of said above issues was duly circulated among the subscribers of said newspaper, which said newspaper has been mailed under a second class mailing privilege of the United States Post Office where it is published for fifty-two (52) consecutive weeks prior to the publication of the above stated

R. E. SUTTON,

Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this 23 day of August, 1951.

T. H. BOGGS,

Notary Public, Marengo County, Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1122, 1110, and 1121—To the Committee on Local Legislation.

## BILLS ON THIRD READING

## The Bill:

S. 682. Relating to counties having populations of not less than 16,600 nor more than 17,900 inhabitants: Authorizing, directing and requiring the county governing body to insure county-owned motor vehicles.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

## Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

## Nays:

—0

## The Bill:

H. 973. To amend Section 93 of Title 37 of the Code of Alabama of 1940; to fix the terms of Commissioners of cities and towns in the State of Alabama which are operating under the provisions of Article 2 of Chapter 4 of Title 37 of the Code of Alabama 1940 as amended; repealing all laws in conflict herewith and providing for the effective date of the provisions hereof.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

## SUBSTITUTE FOR H. B. 973

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 93, Title 37, Code of Alabama (1940), which relates to the election of commissioners in cities operating under the provisions of Article 2, Chapter 4, Title 37, Code of Alabama (1940).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 93, Title 37, Code of Alabama (1940) is amended to read: "In every city operating under this article at the time of the adoption of this Code, the first commissioner elected in such city after September 1, 1941, shall be elected for a term which will expire on September 30 of the fourth year after the date of his election, and the second commissioner to be elected in every such city after September 1, 1941, other than a commissioner elected for an unexpired term, shall be elected for a term which will expire on September 30 of the second year after the date of his election. All commissioners elected after September 1, 1945, other than those elected to serve an unexpired term, shall be elected for a term of four years, ending September 30 of the fourth year after their election, and all three commissioners shall be elected at the same election. It is provided, however, that if a majority of the qualified electors of such city, voting in an election held as hereinafter provided, vote in favor thereof, at the first regular election of commissioners held thereafter, the candidate elected to position number one on the board

of commissioners shall serve for a term of six years, the candidate elected to position number two shall serve for a term of four years, and the candidate elected to position number three shall serve for a term of two years. The term of office of each commissioner elected shall begin on the first day of October of the year of his election. Each commissioner so elected shall hold office until his successor is elected and qualified. Each commissioner elected thereafter, other than one elected to serve an unexpired term, shall be elected for a term of six years ending September 30 of the sixth year after his election. An election to determine whether the length of the terms of such city's commissioners and the time of their election shall be changed shall be held upon the presentation of a petition asking that the proposition be submitted to the qualified voters of the city. The procedure for presenting the petition, the number of qualified electors who must sign the petition, the manner of calling and holding the election and of paying the expenses thereof shall all be as prescribed by Section 91 of this Title for elections to adopt the provisions of this Article, and all other provisions of such section shall apply in regard to such election."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Johnston (Mobile)	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Johnston (Mobile)	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays:

—0

The Bill:

H. 778. To amend Section 2 of Act No. 20, S. 58, approved January 26, 1937 (Local Acts of Alabama, Extra Session, 1936-37, page 14) entitled "An Act To provide a Fund for the support of a Law Library for the Circuit Court of Calhoun County, Alabama, without appropriation from the State or County Treasury by the assessment and collection of court cost in all suits, actions and proceedings hereafter filed or brought to said court, and provide for the regulation and control of said fund."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

H. 779. For the relief of Mrs. Clarence William Carter as compensation for the death of her husband, Clarence William Carter, deceased, of Anniston, Alabama, as a result of injuries received by him when struck by a police car owned, and being operated on official business, by the City of Anniston, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

S. 680. Proposing an amendment to the Constitution of Alabama relating to Colbert County.

Was read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	McCary	Smith	
Andrews	Faulkner	Norrell	Sollie	
Benson	Foster	Phillips	Thagard	
Bonner	High	Pinson	Todd	
Byars	Hollis	Quarles	Whatley	
Clayton	Jones	Reneau	Wright	
Eddins	Larkins			—25

Nays: —0

The Bill:

S. 673. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, with-drawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more

alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of laws in conflict with this act, and to provide when this act shall become effective.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Skidmore	Wright	
Eddins	McCary			—21

Nays:

—0

The Bill:

S. 674. To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation, lawfully engaged in the business of selling Liquor, Malt or Brewed Beverages, as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Skidmore	Wright	
Eddins	McCary			—21

Nays:

—0

The Bill:

S. 675. For the relief of R. E. LeSueur.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Byars	Faulkner	Jones
Andrews	Clayton	High	Larkins
Boutwell	Eddins	Hollis	McCary

Norrell	Quarles	Thagard	Whatley	
Phillips	Skidmore	Todd	Wright	
Pinson	Sollie			—21

Nays: —0

The Bill:

S. 676. To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

S. 677. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

S. 681. Relating to counties having a population of not less than seventy-four thousand nor more than ninety-three thousand inhabitants; to provide for the development of such counties; creating a county development board for each such county; providing for its organization, powers, functions, duties and personnel; providing for the payment of its expenses and for the compensation of its personnel; and authorizing the

board to acquire, own, lease and dispose of properties for the purpose of promoting industry and developing trade and to issue revenue bonds to carry out its powers.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

H. 1054. To prescribe the manner of fixing the salary of the chief deputy sheriff of Geneva County, Alabama, the maximum and minimum thereof and the manner of payment of the same.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

H. 1057. To authorize the Governing Body of Monroe County, Alabama, to transfer any road and bridge funds that are levied and collected within the county to the general fund of the county at any meeting of said county governing body in any calendar year.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

H. 1059. To authorize the Circuit Clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant; to

provide a salary for such assistant; and to repeal Act No. 57, approved May 28, 1943, as amended by Act No. 24, approved by the Governor on May 25, 1945, which authorizes the Clerk to employ a secretarial assistant and fixing such assistant's salary.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

H. 1060. Relating to Fayette County: To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for public school purposes in Fayette County; and ordering an election thereon.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Smith	
Andrews	Foster	Phillips	Sollie	
Benson	High	Pinson	Thagard	
Byars	Hollis	Quarles	Todd	
Clayton	Jones	Reneau	Whatley	
Eddins	Larkins	Robison	Wright	
Farmer	McCary			—25

Nays: —0

The Bill:

H. 1069. To amend Section Three of Act 415, Local Acts of Alabama, 1947, page 265 et seq approved September 25, 1947 applying in Mobile County, Alabama, and requiring the payment to Mobile County, in addition to all other licenses and taxes required by law, of a license tax equal to one-sixth of one cent on each fluid ounce or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, stored or taken out of storage within such county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Johnston (Mobile)	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21



**Nays:**

—0

**The Bill:**

H. 644. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama. was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

**AMENDMENT TO H. B. 644**

Amend H. B. 644 by adding thereto the following:

Section 2½. That upon the death or resignation of the Tax Assessor, or upon the Tax Assessor becoming so disabled from any cause as to be unable to discharge the duties imposed upon him by law, such duties shall be discharged by the Chief Clerk until such time as a new Tax Assessor is elected or appointed and qualified, or until the Tax Assessor becomes able to resume the discharge of his duties, but no such duties shall be discharged by such Chief Clerk until he has first given bond in the same amount and with the same conditions as contained in the bond of the Tax Assessor.

Section 5. That if any Section, word, paragraph, sentence, clause, provision or portion of this Act be held unconstitutional or invalid, it shall not affect any other Section, paragraph, sentence, clause, provision or portion of this Act.

Which was adopted.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Faulkner	Norrell	Sollie
Andrews	High	Phillips	Thagard
Boutwell	Johnston (Mobile)	Pinson	Todd
Byars	Jones	Quarles	Whately
Clayton	Larkins	Smith	Wright
Eddins	McCary		

—21

**Nays:**

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Faulkner	Norrell	Sollie
Andrews	High	Phillips	Thagard
Boutwell	Johnston (Mobile)	Pinson	Todd
Byars	Jones	Quarles	Whately
Clayton	Larkins	Smith	Wright
Eddins	McCary		

—21

**Nays:**

—0

**The Bill:**

H. 1070. To further regulate and define the powers, functions, duties and authority of the Chairman and members of the Board of Revenue and Road Commissioners of Mobile County, Alabama; to impose extra, new

and additional duties upon the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama; to provide additional compensation for the members of said Board for the performance of such extra, new and additional duties hereby imposed upon them and to provide for the payment of such additional compensation.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Johnston (Mobile)	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays:

—0

The Bill:

H. 666. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Judge of the Probate Court of Mobile County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Johnston (Mobile)	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays:

—0

The Bill:

H. 727. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Collector of Mobile County, Alabama.

was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. 727

Amend H. B. 727 by adding the words "or resignation" after the word "death" and before the word "of" in the first line of Section 3, thereof by adding the following:

Section 6. That if any Section, word, paragraph, sentence, clause, provision or portion of this Act be held unconstitutional or invalid, it shall not affect any other Section, paragraph, sentence, clause, provision or portion of this Act.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Johnston (Mobile)	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Johnston (Mobile)	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

H. 1065. To provide for, regulate, control and prohibit the ownership, use, operation and maintenance of passenger automobiles by all cities in this State having a population of 250,000 persons or more, according to the last or any subsequent Federal census; to provide the terms and conditions under which officers, deputies, agents and employees of such cities may be provided with such automobiles by such cities, or may use the same and the storage thereof; to authorize the governing body of such city to provide by resolution a monetary allowance not to exceed the sum of \$50.00 monthly to be made to any of the members of such governing body for their own account or the use of an automobile owned or controlled by a member of such governing body, in the event such automobile is used by such member of such governing body primarily or entirely in connection with the performance of his official duties as a member of such governing body; to generally provide for the use, operation, maintenance, identification and general control of such automobiles so as to prevent fraud and imposition on such cities by those using the same, as well as others, and to provide the punishment for the violation hereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

H. 1066. To prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing

bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards, and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays:

—0

The Bill:

H. 1067. To amend Section 81 of Title 61 of the Code of Alabama of 1940, as heretofore amended by General Act 356 of the Legislature of Alabama of 1945 (General Acts of Alabama of 1945, p. 574), insofar as such section, as amended, applies in counties having a population of four hundred thousand (400,000), or more according to the last or any subsequent Federal census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays:

—0

The Bill:

H. 609. To provide for the recordation of conveyances, mortgages and other instruments transferring standing timber and trees, cutting rights with respect thereto, and interests therein; and the effect of such recordation.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Norrell
Andrews	Faulkner	Larkins	Phillips
Boutwell	Foster	Locke (Choctaw)	Pinson
Byars	Hollis	Locke (Perry)	Reneau
Clayton	Johnston (Mobile)	McCary	Robison

Skidmore Smith	Sollie Thagard	Todd Whatley	Wright	—26
Nays:				—0

The Bill:

H. 351. To further provide for the issuance of hunting and fishing licenses. To provide how said licenses shall be issued and by whom. To provide for disposition of the revenue derived from the sale of such licenses. To provide for a fee for the issuance of same. To repeal all laws or parts of laws in conflict herewith and for other purposes.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Perry)	Skidmore
Andrews	Foster	McCary	Smith
Bonner	Hollis	Norrell	Sollie
Boutwell	Johnson (Chambers)	Phillips	Thagard
Byars	Johnston (Mobile)	Pinson	Todd
Clayton	Jones	Reneau	Whatley
Eddins	Larkins	Richardson	Wright
Farmer	Locke (Choctaw)	Robison	—30

Nays: —0

The Bill:

H. 289. To provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the Teachers' Retirement System, September 1, 1941, and who is not and never has been eligible for membership in the Teachers' Retirement System, and to provide a supplement to the retirement benefits of certain teachers who are now or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended by Act 637, General Acts 1947, p. 486; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act 209 approved July 7, 1945 and Act 301 approved August 14, 1947 relating to provisions for old age assistance to teachers.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	Foster	Locke (Perry)	Skidmore
Benson	High	McCary	Smith
Bonner	Hollis	Norrell	Sollie
Boutwell	Johnson (Chambers)	Phillips	Thagard
Byars	Johnston (Mobile)	Pinson	Todd
Clayton	Jones	Reneau	Whatley
Eddins	Larkins	Richardson	Wright
Farmer			—32

Nays: —0

The Bill:

H. 2. To amend Sections 15, 16 and 98 of Title 11 of the Code of Alabama (1940), as amended, which relate to pay for jurors.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	Foster	Locke (Perry)	Skidmore
Benson	High	McCary	Smith
Bonner	Hollis	Norrell	Sollie
Boutwell	Johnson (Chambers)	Phillips	Thagard
Byars	Johnston (Mobile)	Pinson	Todd
Clayton	Jones	Reneau	Whatley
Eddins	Larkins	Richardson	Wright
Farmer			

—32

Nays:

—0

The Bill:

H. 77. Relating to the education of handicapped children: providing for their training in the public schools; authorizing their admittance to school upon reaching the age of three years; providing for the issuance of teachers' certificates to persons trained in the education of such children and providing that teachers who have had specialized training in teaching such children shall be given credit for such training in determining their compensation; and providing for the payment of the costs of transporting such children to and from school in cities; authorizing the State Board of Education to expend funds for the care of such children of the "custodial type" and making an appropriation therefor.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

Finance and Taxation Committee Amendment to House Bill No. 77:

Amend Section 8 of House Bill No. 77 as amended by adding the following after the period at the end of Section 8: "This appropriation is for the fiscal years 1951-1952 and 1952-1953."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Perry)	Skidmore
Andrews	Foster	McCary	Smith
Bonner	High	Norrell	Sollie
Boutwell	Hollis	Phillips	Thagard
Byars	Johnson (Chambers)	Reneau	Todd
Clayton	Johnston (Mobile)	Richardson	Whatley
Eddins	Locke (Choctaw)	Robison	Wright
Farmer			

—28

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Benson	Boutwell	Clayton
Andrews	Bonner	Byars	Eddins

Farmer	Jones	Phillips	Sollie	
Foster	Larkins	<b>Reneau</b>	Thagard	
High	Locke (Choctaw)	Richardson	Todd	
Hollis	Locke (Perry)	Robison	Whatley	
Johnson (Chambers)	McCary	Skidmore	Wright	
Johnston (Mobile)	Norrell			—29

Nays: —0

The Bill:

H. 728. To further amend Section 55 of Title 47 of the Code of Alabama of 1940.

was taken up.

Mr. Johnston (Mobile) offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. NO. 728

Amend H. B. No. 728 by deleting therefrom Subsection D of Section 1.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Foster	McCary	Smith	
Andrews	High	Phillips	Sollie	
Benson	Hollis	Pinson	Thagard	
Boutwell	Johnson (Chambers)	Reneau	Todd	
Bvars	Johnston (Mobile)	Richardson	Whatley	
Eddins	Jones	Robison	Wright	
Farmer	Larkins	Skidmore		—26

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Robison	
Andrews	Foster	McCary	Skidmore	
Benson	High	Norrell	Smith	
Bonner	Hollis	Phillips	Thagard	
Boutwell	Johnson (Chambers)	Pinson	Todd	
Clayton	Johnston (Mobile)	Reneau	Whatley	
Eddins	Jones	Richardson		—26

Nays: —0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 615. To prescribe new, extra and additional duties for the Superintendents of Education in all counties of the state having a population of not less than 36,000 nor more than 39,000 according to the last or any subsequent census; to provide additional compensation for the performance of such new, extra and additional duties.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Benson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 615, the title of which is set out in the foregoing Message from the House.

### AMENDMENT TO S. B. 615

Amend Section 3 of the bill by striking therefrom the figures "\$1,-200.00" wherever they appear therein and inserting in lieu thereof the figures "\$600.00".

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie
Benson	High	Phillips	Thagard
Boutwell	Hollis	Pinson	Todd
Byars	Jones	Quarles	Whatley
Clayton	Larkins	Smith	Wright
Eddins	McCary		

—21

Nays:

—0

### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Byars, further consideration of the Bill, S. B. 465, was indefinitely postponed by the Senate.

On motion of Mr. Eddins, further consideration of the Bill, S. B. 613, and the Bill, S. B. 614 with pending substitute, was indefinitely postponed by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Adams (Jefferson), Beatty, Meeks Huey, and Morgan (Jefferson) (by request):

H. 1119. To amend Section 253 of Title 13, Code of Alabama 1940, as amended by General Acts of the Legislature 1947, page 63, approved July 21, 1947, as amended by General Acts of the Legislature 1949, page 1030, approved September 19, 1949.

Also:

By Messrs. Miller and Scruggs:

H. 1120. For the relief of Maude Henry.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1119 and 1120—To the Committee on Finance and Taxation.



## BILLS ON THIRD READING RESUMED

The Bill:

H. 664. To amend Section 260 of Title 13 of the Code of Alabama (1940) which relates to the compensation of Solicitors and Deputy Solicitors.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Locke (Choctaw)	Robison	
Andrews	Foster	Norrell	Skidmore	
Benson	Hollis	Pinson	Thagard	
Bonner	Johnson (Chambers)	Reneau	Todd	
Boutwell	Jones	Richardson	Whatley	
Byars	Larkins			—21

Nays: —0

The Bill:

H. 687. To amend Sections (2), (8), (9), (10), (12), and (14) of an Act designated as No. 590, H. 392, General Acts of Alabama of 1939, page 958, and entitled: "To impose an Excise Tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways: to define the term motor fuel as used herein: to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this Act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this Act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this Act; and to generally provide for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto."; approved June 27, 1940.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Faulkner	McCary	Smith	
Andrews	Hollis	Norrell	Sollie	
Benson	Johnson (Chambers)	Pinson	Thagard	
Boutwell	Jones	Reneau	Todd	
Clayton	Larkins	Richardson	Whatley	
Eddins	Locke (Choctaw)	Robison	Wright	
Farmer	Locke (Perry)	Skidmore		—26

Nays: —0

The Bill:

H. 688. An Act to be designated as Section 660 (1) of Title 51, Code of Alabama 1940, as amended, and to provide that it shall be unlawful to use gasoline and other motor fuels in the operation of a motor vehicle over the highways of this State upon which the Excise Tax levied upon said products has not been paid or assumed and to further provide that a violation of this Section shall constitute a misdemeanor punishable by

a fine of not less than twenty-five dollars nor more than one hundred dollars, for each violation thereof.

Was read a third time at length and passed.

Yeas 27; Nays 0.

**Yeas:**

Messrs.:	Farmer	Larkins	Robison
Andrews	Faulkner	Locke (Choctaw)	Skidmore
Benson	Foster	Locke (Perry)	Smith
Boutwell	Hollis	Norrell	Thagard
Byars	Johnson (Chambers)	Pinson	Todd
Clayton	Johnston (Mobile)	Reneau	Whatley
Eddins	Jones	Richardson	Wright

—27

**Nays:**

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 931. Relating to Calhoun County: To abolish the County Commission of Calhoun County and create in lieu thereof the Board of Revenue of Calhoun County; providing for its organization and procedures and for the selection, term, compensation, expenses, powers and duties of its chairman and associate members; dividing the county into districts; requiring that the county roads and bridges be constructed, repaired and maintained on a county unit basis, requiring the adoption of a budget for road and bridge construction and repair and prescribing penalties for failure to maintain the roads on a county unit basis or to follow the budget; providing for county purchases and that the chairman of the Board shall be Purchasing Agent for the county; making it unlawful to use county property or personnel for private purposes or on private property and prescribing penalties and a forfeiture therefor; repealing Act No. 420, S. 387, approved September 13, 1939 (Local Acts of Alabama, 1939, page 252) and Act No. 186, H. 499, approved July 24, 1947 (Local Acts of Alabama, 1947, page 102); and making the Act operative upon its approval by a majority of the voters of Calhoun County voting in a referendum.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 535. To amend Section 224, Title 26, 1940 Code of Alabama, as amended, relating to termination of employer's coverage under the State Unemployment Compensation Law.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	High	McCary	Skidmore
Andrews	Hollis	Norrell	Smith
Byars	Johnson (Chambers)	Phillips	Sollie
Clayton	Johnston (Mobile)	Pinson	Thagard
Eddins	Jones	Reneau	Todd
Farmer	Locke (Choctaw)	Richardson	Whatley
Foster	Locke (Perry)	Robison	Wright

—27

Nays:

—0

The Bill:

H. 537. To amend Section 25 of Title 26, 1940 Code, as amended, relating to Divisions of the Department of Industrial Relations.

Was read a third time at length and passed.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Foster	Locke (Choctaw)	Robison
Andrews	High	Locke (Perry)	Skidmore
Benson	Hollis	McCary	Smith
Boutwell	Johnson (Chambers)	Phillips	Thagard
Byars	Johnston (Mobile)	Pinson	Todd
Clayton	Jones	Reneau	Whatley
Eddins	Larkins	Richardson	Wright
Faulkner			

—28

Nays: Messrs. Bonner and Sollie

—2

The Bill:

H. 536. To amend Section 185, Title 26, 1940 Code of Alabama, as amended, relating to the definition of "Employer" under the Unemployment Compensation Law, and Section 204, Title 26, 1940 Code of Alabama, as amended, relating to Experience Rating under the Unemployment Compensation Law.

was taken up.

The Standing Committee on Immigration, Industrial Resources and Labor reported the following amendment to the Bill, to-wit:

#### AMENDMENT TO HOUSE BILL 536

Amend subsection F of Section 204, as the same appears in Section 2 of said bill, by striking in the first sentence thereof, the words "fifteen days" and inserting in lieu thereof the words "five days."

Further amend paragraph numbered 5 of subsection G of Section 204, as the same appears in Section 2 of said bill, to read as follows:

The director shall notify each employer of such declaration and change in state experience factor and of his benefit wage percentage, his contribution rate, and his employees' contribution rate not less than five days before each such first day of April.

Which was adopted.

Yeas 28; Nays 0.

**Yeas:**

Messrs.:	Faulkner	Larkins	Reneau
Andrews	Foster	Locke (Choctaw)	Richardson
Benson	High	Locke (Perry)	Robison
Boutwell	Hollis	McCary	Skidmore
Byars	Johnson (Chambers)	Norrell	Todd
Clayton	Johnston (Mobile)	Phillips	Whatley
Eddins	Jones	Pinson	Wright
Farmer			

—28

**Nays:**

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

**Yeas:**

Messrs.:	Foster	Locke (Perry)	Skidmore
Andrews	High	McCary	Smith
Benson	Hollis	Norrell	Sollie
Boutwell	Johnson (Chambers)	Phillips	Thagard
Byars	Johnston (Mobile)	Pinson	Todd
Clayton	Jones	Reneau	Whatley
Eddins	Larkins	Richardson	Wright
Farmer	Locke (Choctaw)	Robison	

—30

**Nays:**

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 778. To amend Section 2 of Act No. 20, S. 58, approved January 26, 1937 (Local Acts of Alabama, Extra Session, 1936-37, page 14) entitled "An Act To provide a Fund for the support of a Law Library for the Circuit Court of Calhoun County, Alabama, without appropriation from the State or County Treasury by the assessment and collection of court cost in all suits, actions and proceedings hereafter filed or brought to said court, and provide for the regulation and control of said fund."

Also:

H. 779. For the relief of Mrs. Clarence William Carter as compensation for the death of her husband, Clarence William Carter, deceased, of Anniston, Alabama, as a result of injuries received by him when struck by a police car owned, and being operated on official business, by the City of Anniston, Alabama.

Also:

H. 1054. To prescribe the manner of fixing the salary of the chief deputy sheriff of Geneva County, Alabama, the maximum and minimum thereof and the manner of payment of the same.

Also:

H. 1057. To authorize the Governing Body of Monroe County, Alabama, to transfer any road and bridge funds that are levied and collected within the county to the general fund of the county at any meeting of said county governing body in any calendar year.

Also:

H. 1059. To authorize the circuit clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant; to provide a salary for such assistant; and to repeal Act No. 57, approved May 28, 1943, as amended by Act No. 24, approved by the Governor on May 25, 1945, which authorizes the clerk to employ a secretarial assistant and fixing such assistant's salary.

Also:

H. 1060. Relating to Fayette County: To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for public school purposes in Fayette County; and ordering an election thereon.

Also:

H. 1069. To amend Section Three of Act 415, Local Acts of Alabama, 1947, page 265 et seq approved September 25, 1947 applying in Mobile County, Alabama, and requiring the payment to Mobile County, in addition to all other licenses and taxes required by law, of a license tax equal to one-sixth of one cent on each fluid ounce or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, stored or taken out of storage within such county.

Also:

H. 1070. To further regulate and define the powers, functions, duties and authority of the Chairman and members of the Board of Revenue and Road Commissioners of Mobile County, Alabama; to impose extra, new and additional duties upon the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama; to provide additional compensation for the members of said Board for the performance of such extra, new and additional duties hereby imposed upon them and to provide for the payment of such additional compensation.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 88. Relative to appointing a joint legislative committee to investigate and inquire into the administration, operation and condition of Bryce Hospital and Partlow State School, and to make recommendations at the next session of the Legislature.

And said Resolution was then adopted by the Senate.

### RECESS

At 12 Noon, on motion of Mr. Phillips, the Senate took a recess until 1:30 o'clock this afternoon.

Yeas 27; Nays 0.

**Yeas:**

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore
Andrews	Foster	Locke (Perry)	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Reneau	Todd
Eddins	Jones	Richardson	Whatley
Farmer	Larkins	Robison	Wright

—27

**Nays:**

—0

AFTERNOON SESSION  
THIRTY-FOURTH LEGISLATIVE DAY  
THURSDAY, AUGUST 30, 1951

The Senate reassembled at 1:30 o'clock P. M., Lieutenant-Governor Allen presiding.

**ROLL CALL****Present:**

Messrs.:	Faulkner	Locke (Perry)	Robison
Andrews	Foster	McCary	Skidmore
Benson	High	Norrell	Smith
Bonner	Hollis	Phillips	Sollie
Boutwell	Johnson (Chambers)	Pinson	Thagard
Byars	Johnston (Mobile)	Quarles	Todd
Clayton	Jones	Reneau	Whatley
Eddins	Larkins	Richardson	Wright
Farmer	Locke (Choctaw)		

—33

**REPORTS OF COMMITTEES**

Mr. Reneau, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Selden (with amendment):

H. 55. To amend Section 45, Title 34, Code of Alabama (1940), relating to a sale or partition of land of joint owners or tenants in common.

Mr. Reneau, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Morgan (Tuscaloosa):

H. 977. To amend Section 3 of Act No. 523, S. 315, approved September 30, 1947 (General Acts of Alabama, 1947, page 379), as amended by Act No. 460, S. 431, approved August 25, 1949 (Acts of Alabama, 1949, page 667), which creates a Water Improvement Advisory Commission.

Mr. Andrews, Chairman of the Standing Committee on Commerce and Common Carriers reported that said Committee, in Session, had

acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Meeks:

H. 494. To amend Section 302 of Title 48 of the Code of Alabama of 1940.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 496. Relating to the administration of pardons, paroles, and the remission of fines and forfeitures; amending Chapter 1, Title 42, Code of Alabama (1940).

By a vote of a majority of the whole number elected to the House, said vote being: Yeas 75; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 67; Nays 1.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendments to the following House bills:

H. 973. To amend Section 93, Title 37, Code of Alabama (1940), which relates to the election of commissioners in cities operating under the provisions of Article 2, Chapter 4, Title 37, Code of Alabama (1940).

Also:

H. 727. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Collector of Mobile County, Alabama.

Also:

H. 644. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

Also:

H. 728. To further amend Section 55 of Title 47 of the Code of Alabama of 1940.

Also:

H. 77. Relating to the education of handicapped children: providing for their training in the public schools; authorizing their admittance to school upon reaching the age of three years; providing for the issuance of teachers' certificates to persons trained in the education of such children and providing that teachers who have had specialized training in teaching such children shall be given credit for such training in determining their compensation; and providing for the payment of the costs of transporting such children to and from school in cities; authorizing the

State Board of Education to expend funds for the care of such children of the "custodial type" and making an appropriation therefor.

R. T. GOODWYN, JR.,  
Clerk.

### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 615. To prescribe new, extra and additional duties for the Superintendents of Education in all counties of the state having a population of not less than 36,000 nor more than 39,000 according to the last or any subsequent census; to provide additional compensation for the performance of such new, extra and additional duties.

Also:

S. 645. To amend Section 363 of Title 37 of the Code of Alabama of 1940 so as to enlarge the powers of cities and towns with respect to water-works plants and systems.

HERBERT B. BYARS,  
Chairman.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

### RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 89. **RESOLVED BY THE SENATE**, That the following shall be the special, paramount, and continuing order of business, in the order listed, superseding and displacing all prior special orders, when "Bills on Third Reading" is reached in the Regular Order of business today:

S. B. 56 .....	page 69
S. B. 161 .....	page 41

**RESOLVED FURTHER**, That the following shall be the special, paramount and continuing order of business, in the order listed, immediately following present Special Orders on Calendar for Thirty-fourth Legislative day:

H. B. 896 .....	page 53
H. B. 996 .....	page 57
H. B. 1058 .....	page 59
H. B. 426 .....	page 26
H. B. 52 .....	page 21
H. B. 53 .....	page 27
H. B. 472 .....	page 28
H. B. 427 .....	page 29



H. B. 425.....	page 28
H. B. 7.....	page 23
H. B. 374.....	page 48
H. B. 225.....	page 30
H. B. 352.....	page 30
H. B. 1028.....	page 57
H. B. 244.....	page 43
H. B. 817.....	page 56
H. B. 903.....	page 53
H. B. 609.....	page 32
H. B. 313.....	page 30
H. B. 316.....	page 45
H. B. 185.....	page 26
H. B. 186.....	page 27
H. B. 351.....	page 54
H. B. 259.....	page 29
H. B. 402.....	page 39
H. B. 564.....	page 46
H. B. 865.....	page 56
H. B. 72.....	page 58
H. B. 687.....	page 55
H. B. 688.....	page 56
H. B. 848.....	page 49
H. B. 740.....	page 54
H. B. 346.....	page 20
H. B. 467.....	page 35
H. B. 61.....	page 40
H. B. 232.....	page 29
H. B. 998.....	page 50
H. B. 608.....	page 34
H. B. 589.....	page 58
H. B. 1016.....	page 58
H. B. 176.....	page 20

Which was adopted.

### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 110. Relative to creating an Alabama "Hall of Fame" and specifying its powers, duties, and authority.

And on motion of Mr. Boutwell, the Resolution was adopted by the Senate.

### BILLS ON THIRD READING

The Bill:

H. 283. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Was read a third time at length and passed.

Yeas 27; Nays 0.

**Yeas:**

Messrs.:	Foster	Locke (Perry)	Robison
Andrews	Hollis	McCary	Skidmore
Boutwell	Johnson (Chambers)	Norrell	Smith
Byars	Johnston (Mobile)	Phillips	Sollie
Eddins	Jones	Quarles	Thagard
Farmer	Larkins	Reneau	Todd
Faulkner	Locke (Choctaw)	Richardson	Whatley

—27

**Nays:**

—0

**The Bill:**

H. 349. To amend Section 3 of Title 20 of the Code of Alabama, 1940, which relates to certain contracts which are void unless in writing.

Was read a third time at length and passed.

Yeas 26; Nays 0.

**Yeas:**

Messrs.:	Foster	McCary	Skidmore
Benson	Hollis	Norrell	Sollie
Bonner	Johnson (Chambers)	Phillips	Thagard
Boutwell	Johnston (Mobile)	Pinson	Todd
Byars	Jones	Reneau	Whatley
Eddins	Larkins	Richardson	Wright
Farmer	Locke (Choctaw)	Robison	

—26

**Nays:**

—0

**REPORT FROM RULES**

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 86. Relative to requesting the State Democratic Executive Committee to leave unchanged the rules governing Alabama Democratic Primaries, and recommending to said Committee that the 1952 Primaries be conducted in the usual manner.

Mr. Faulkner moved that further consideration of the Resolution be indefinitely postponed by the Senate.

Mr. Quarles moved that the motion to indefinitely postpone be laid on the table, and the motion to table was lost.

Yeas 13; Nays 16.

**Yeas:**

Messrs.:	Eddins	Quarles	Thagard
Bonner	Johnston (Mobile)	Richardson	Whatley
Boutwell	Locke (Choctaw)	Sollie	Wright
Byars	Locke (Perry)		

—13

**Nays:**

Messrs.:	Clayton	Faulkner	High
Benson	Farmer	Foster	Hollis

Johnson (Chambers)	McCary	Robison	Smith	
Jones	Reneau	Skidmore	Todd	
Larkins				—16

The question recurred on the motion of Mr. Faulkner, and further consideration of the Resolution was indefinitely postponed by the Senate.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Foster	Jones	Robison	
Benson	High	Larkins	Skidmore	
Farmer	Hollis	McCary	Smith	
Faulkner	Johnson (Chambers)	Reneau	Todd	—15

Nays:

Messrs.:	Clayton	Locke (Perry)	Thagard	
Bonner	Eddins	Quarles	Whatley	
Boutwell	Johnston (Mobile)	Richardson	Wright	
Byars	Locke (Choctaw)	Sollie		—14

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 536. To amend Section 185, Title 26, 1940 Code of Alabama, as amended, relating to the definition of "Employer" under the Unemployment Compensation Law, and Section 204, Title 26, 1940 Code of Alabama, as amended, relating to Experience Rating under the Unemployment Compensation Law.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following joint resolution:

By Mr. Foster:

S. J. R. 88. Relating to a Joint Legislative Committee being appointed to investigate and inquire into the administration, operation, and condition of Bryce Hospital and Partlow State School.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Foster, The Senate non-concurred in the following House amendment to the Resolution, S. J. R. 88, the title of which is set out in the foregoing Message from the House.

#### SUBSTITUTE FOR S. J. R. 88

Be it resolved by the House of Representatives, the Senate concurring, That

WHEREAS, There is no direct supervision by any department of the State over the internal administration and operation of many agencies and institutions of the State; and

WHEREAS, there exist opportunities for wide variation in the management of such agencies and institutions.

THEREFORE, BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the Governor is hereby requested to appoint a committee of three to make surveys, at least semi-annually, of the living conditions, diet, medical and hospital facilities and daily routine provided in the various State agencies and institutions in which the inmates are involuntarily detained, such committee to utilize the resources and facilities of existing State Departments;

AND, FURTHER, that the Governor make a report to the Legislature on these surveys at each regular session of the Legislature.

And requests a Committee on Conference.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Foster, Jones and High.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Dawkins:

H. J. R. 130. Be it resolved by the House, the Senate concurring that H. B. 77 which has passed both Houses of the Legislature be known as the Dawkins, Hall, Tennille, Sellers, Robison and Wright Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The Rules were suspended and the Resolution, H. J. R. 130, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### RESOLUTION

Mr. Larkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 90. Be it resolved by the Senate the House concurring that Senate Bill No. 568 be known as the Larkins-Stokes Bill.

The Rules were suspended and the Resolution adopted by the Senate.

#### BILLS ON THIRD READING RESUMED

The Bill:

S. 56. To fix the salary of the State Health Officer.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 17; Nays 7.

Yeas:

Messrs.:  
Benson

Boutwell  
Byars

Clayton  
Eddins

Farmer  
Foster

High Johnston (Mobile) Larkins	Phillips Pinson Richardson	Skidmore Thagard	Whatley Wright	—17
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Nays:

Messrs.: Andrews	Bonner Locke (Choctaw)	Locke (Perry) Quarles	Reneau Sollie	—7
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The Bill:

S. 161. To make appropriations for the promotion of Blue and Gray Day in Alabama.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE SUBSTITUTE FOR SENATE  
BILL NO. 161

A BILL  
TO BE ENTITLED  
AN ACT

To make appropriations for the promotion of Blue and Gray Day in Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of Twenty Thousand Dollars (\$20,000) is hereby appropriated for each of the fiscal years of 1951-52 and 1952-53, from any funds in the State Treasury not otherwise appropriated, of which funds not exceeding Fifteen Thousand Dollars (\$15,000) per year shall be used and expended in staging an historical pageant, celebration and parade, with attendant festivities, in connection with the annual celebration of Blue and Gray Day in Alabama; and, the remainder of said annual appropriation shall be used and expended for radio publicity in the promotion of Blue and Gray Day in Alabama.

Section 2. The funds hereby appropriated shall be paid out by the Treasurer of the State of Alabama conditional upon the condition of the Treasury and the approval of the Governor, upon the requisition or order of the President of The Blue and Gray Association, Inc.

Section 3. This Act shall become effective upon its approval by the Governor or otherwise becoming law.

Which was adopted.

Yeas 19; Nays 4.

Yeas:

Messrs.: Andrews Benson Bonner Boutwell	Byars Clayton Eddins Foster Hollis	Larkins Locke (Choctaw) Locke (Perry) Pinson Reneau	Robison Skidmore Smith Todd Wright	—19
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Nays:

Messrs.: Quarles	Richardson	Thagard	Whatley	—4
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And said Bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 12.

*Yeas:*

Messrs.:	Eddins	Jones	Robison
Benson	Faulkner	Larkins	Skidmore
Bonner	Foster	Locke (Choctaw)	Smith
Byars	High	Phillips	Todd
Clayton	Hollis	Pinson	Wright

—19

*Nays:*

Messrs.:	Johnston (Mobile)	Quarles	Sollie
Andrews	Locke (Perry)	Reneau	Thagard
Boutwell	Norrell	Richardson	Whatley
Johnson (Chambers)			

—12

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 494, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 30, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 494, with a suggested executive amendment.

Section 714 of Title 51, Code of Alabama 1940, which this bill amends presently prescribes a fee of fifty cents for issuing each license for operating a motor vehicle. The House amendment to this bill provided as follows: "The fees of this Act shall apply only to private vehicles receiving the benefit of the \$3.00 tag". The effect of this amendment was to relieve all other motor vehicles from the present fifty-cent issuing fee. The authors of the amendment advise that this was not intended. The executive amendment herein proposed continues the present issuing fee of fifty cents on all motor vehicles except those licensed under the provisions of Act No. 315, approved August 1, 1951, which fixes a \$3.00 license on motor vehicles designed and used primarily for private passenger purposes. The issuing fee on these \$3.00 licenses is fixed at seventy-five cents.

The suggested executive amendment is as follows:

"Amend Senate Bill No. 494 by striking therefrom Sections 1 and 1A in their entirety and by substituting in lieu thereof the following:

'Section 1. Section 714 of Title 51, Code of Alabama 1940, be, and the same is hereby, amended to read as follows: Section 714. Fee of probate judge for issuing license.—The probate judge, for issuing the licenses required by this article or by any other law prescribing licenses for operating motor vehicles, shall be allowed a fee of fifty cents for issuing each license for operating motor vehicles; provided, however, the fee for issuing each license for operating those motor vehicles licensed under the provisions of Act No. 315, approved August 1, 1951, shall be seventy-five cents. Such fees shall be paid to the probate judge by the owner at the time of the issuance of the license tag.'"

The above amendment is made with the full knowledge and approval of the author of the bill and if adopted will remove my objection to the bill.

Respectfully,

GORDON PERSONS,  
Governor.

### GOVERNOR'S MESSAGE

On motion of Mr. Clayton, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 494. To amend Section 714, Title 51, Code of Alabama 1940, which relates to the fees of probate judges for issuing licenses for operating motor vehicles.

which said amendment is set out in the foregoing Message from the Governor.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Skidmore	
Andrews	Faulkner	Locke (Choctaw)	Smith	
Benson	High	Locke (Perry)	Sollie	
Boutwell	Hollis	Norrell	Thagard	
Clayton	Johnson (Chambers)	Phillips	Wright	
Eddins	Jones	Robison		—22

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 1.

Yeas:

Messrs.:	Faulkner	Larkins	Skidmore	
Andrews	High	Locke (Perry)	Smith	
Benson	Hollis	Norrell	Sollie	
Boutwell	Johnson (Chambers)	Reneau	Thagard	
Eddins	Johnston (Mobile)	Richardson	Wright	
Farmer	Jones			—21

Nay: Mr. Bonner

—1

Which was a majority of the whole number elected to the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bills, your signature thereto is requested.

H. J. R. 127. Designating House Bills 609 and 610.

Also:

H. 2. To amend Sections 15, 16 and 98 of Title 11 of the Code of Alabama (1940), as amended, which relate to pay for jurors.

Also:

H. 77. Relating to the education of handicapped children: providing for their training in the public schools; authorizing their admittance to school upon reaching the age of three years; providing for the issuance of teachers' certificates to persons trained in the education of such children and providing that teachers who have had specialized training in teaching such children shall be given credit for such training in determining their compensation; and providing for the payment of the costs of transporting such children to and from school in cities; authorizing the State Board of Education to expend funds for the care of such children of the "custodial type" and making an appropriation therefor.

Also:

H. 289. To provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the Teachers' Retirement System, September 1, 1941, and who is not and never has been eligible for membership in the Teachers' Retirement System, and to provide a supplement to the retirement benefits of certain teachers who are now or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended by Act 637, General Acts 1947, p. 486; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act 209 approved July 7, 1945 and Act 301 approved August 14, 1947 relating to provisions for old age assistance to teachers.

Also:

H. 351. To further provide for the issuance of hunting and fishing licenses. To provide how said licenses shall be issued and by whom. To provide for disposition of the revenue derived from the sale of such licenses. To provide for a fee for the issuance of same. To repeal all laws or parts of laws in conflict herewith and for other purposes.

Also:

H. 609. To provide for the recordation of conveyances, mortgages and other instruments transferring standing timber and trees, cutting rights with respect thereto, and interests therein; and the effect of such recordation.

Also:

H. 644. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

Also:

H. 664. To amend Section 260 of Title 13 of the Code of Alabama (1940) which relates to the compensation of Solicitors and Deputy Solicitors.

Also:

H. 666. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Judge of the Probate Court of Mobile County, Alabama.



Also:

H. 687. To amend Sections (2), (8), (9), (10), (12), and (14) of an Act designated as No. 590, H. 392, General Acts of Alabama of 1939, page 958, and entitled: "To impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this state of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this Act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this Act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this Act; and to generally provide for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto"; approved June 27, 1940.

Also:

H. 688. An Act to be designated as Section 660 (1) of Title 51, Code of Alabama 1940, as amended, and to provide that it shall be unlawful to use gasoline and other motor fuels in the operation of a motor vehicle over the highways of this state upon which the excise tax levied upon said products has not been paid or assumed and to further provide that a violation of this section shall constitute a misdemeanor punishable by a fine of not less than twenty-five dollars nor more than one hundred dollars, for each violation thereof.

Also:

H. 727. To provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Collector of Mobile County, Alabama.

Also:

H. 728. To further amend Section 55 of Title 47 of the Code of Alabama of 1940.

Also:

H. 973. To amend Section 93, Title 37, Code of Alabama (1940), which relates to the election of commissioners in cities operating under the provisions of Article 2, Chapter 4, Title 37, Code of Alabama (1940).

Also:

H. 537. To amend Section 25 of Title 26, 1940 Code, as amended, relating to Divisions of the Department of Industrial Relations.

Also:

H. 1065. To provide for, regulate, control and prohibit the ownership, use, operation and maintenance of passenger automobiles by all cities in this State having a population of 250,000 persons or more, according to the last or any subsequent Federal census; to provide the terms and conditions under which officers, deputies, agents and employees of such cities may be provided with such automobiles by such cities, or may use the same and the storage thereof; to authorize the governing body of such city to provide by resolution a monetary allowance not to exceed the sum of \$50.00 monthly to be made to any of the members of such governing body for their own account or the use of an automobile owned or controlled by a member of such governing body, in the event such automobile is used by such member of such governing body primarily or entirely in connection with the performance of his of-

ficial duties as a member of such governing body; to generally provide for the use, operation, maintenance, identification and general control of such automobiles so as to prevent fraud and imposition on such cities by those using the same, as well as others, and to provide the punishment for the violation hereof.

Also:

H. 1066. To prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards, and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances.

Also:

H. 1067. To amend Section 81 of Title 61 of the Code of Alabama of 1940, as heretofore amended by General Act 356 of the Legislature of Alabama of 1945 (General Acts of Alabama of 1945, p. 574), insofar as such section, as amended, applies in counties having a population of four hundred thousand (400,000), or more according to the last or any subsequent Federal census.

Also:

H. 535. To amend Section 224, Title 26, 1940 Code of Alabama, as amended, relating to termination of employer's coverage under the State Unemployment Compensation Law.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 283. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Also:

H. 536. To amend Section 185, Title 26, 1940 Code of Alabama, as amended, relating to the definition of "Employer" under the Unemployment Compensation Law, and Section 204, Title 26, 1940 Code of Alabama, as amended, relating to Experience Rating under the Unemployment Compensation Law.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills, begs leave to report that said Committee, in session, has compared the following enrolled bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to-wit:

S. 496. Relating to the administration of pardons, paroles, and the remission of fines and forfeitures; amending Chapter 1, Title 42, Code of Alabama (1940).

HERBERT B. BYARS,  
Chairman.

## SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bill, your signature thereto is requested.

H. J. R. 110. Relative to creating an Alabama "Hall of Fame".

Also:

H. 349. To amend Section 3 of Title 20 of the Code of Alabama, 1940, which relates to certain contracts which are void unless in writing.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 602. To require the Division of the Budget and the Budget Officer to furnish certain fiscal information and data to members of the Legislature and to assist in the fiscal management of the Alabama Building Commission or its successor; to provide for the salary of the State Budget Officer, and to provide an effective date for this Act.

was taken up:

Mr. Bonner offered the following amendment to the Bill, to-wit:

Amend H. B. No. 602, by adding thereto immediately before the paragraph in said bill which begins with the words, "This Act shall become effective" the following words:

When the salary raise for said Budget Officer provided for by this Act becomes effective, the said Budget Officer shall no longer be under the Merit System Law of Alabama.

On motion of Mr. Johnston (Mobile), said amendment was laid on the table.

Yeas 24; Nays 6.

*Yeas:*

Messrs.:	Farmer	Jones	Skidmore	
Andrews	Faulkner	Larkins	Smith	
Benson	Foster	McCary	Sollie	
Boutwell	High	Phillips	Thagard	
Byars	Hollis	Quarles	Todd	
Clayton	Johnston (Mobile)	Richardson	Wright	
Eddins				—24

*Nays:*

Messrs.:	Johnson (Chambers)	Locke (Perry)	Robison	
Bonner	Locke (Choctaw)	Reneau		—6

Mr. Robison then offered the following amendment to the Bill, to-wit:

Amendment to H. B. 602

Amend Section 2 of H. B. 602 by striking from said section the figures \$8,500.00 and substitute in lieu therefor the figures \$7,200.00.

On motion of Mr. Skidmore, said amendment was laid on the table.

Yeas 17; Nays 15.

*Yeas:*

Messrs.:	Clayton	Johnston (Mobile)	Quarles	
Andrews	Farmer	Larkins	Richardson	
Benson	Foster	Phillips	Skidmore	
Boutwell	High	Pinson	Wright	
Byars	Hollis			—17

*Nays:*

Messrs.:	Johnson (Chambers)	McCary	Sollie	
Bonner	Jones	Reneau	Thagard	
Eddins	Locke (Choctaw)	Robison	Todd	
Faulkner	Locke (Perry)	Smith	Whatley	—15

Mr. Robison then offered the following substitute for the Bill, to-wit:

#### SUBSTITUTE FOR H. 602

#### A BILL TO BE ENTITLED AN ACT

To require the Division of the Budget and the Budget Officer and the State Comptroller to furnish certain fiscal information and data to

members of the Legislature, to require the Budget Officer to assist in the fiscal management of the Alabama Building Commission or its successor, to provide for the salary of the State Budget Officer and the State Comptroller, and to provide an effective date for this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Division of the Budget in the Department of Finance shall, upon request therefor, furnish to the Legislature, members or committees thereof, detailed information upon any and all of the fiscal affairs and financial condition of the State and shall serve, when requested so to do, as fiscal advisor thereto and the Budget Officer and the State Comptroller shall compile such information and data for presentation upon request. The Budget Officer shall serve as Secretary to the Alabama Building Commission or to any commission named as its successor and as such secretary he shall at all times keep and maintain an accurate and detailed record and account of all of its financial transactions. The Budget Officer and the State Comptroller shall, upon request of the members of the Commission, supply to the Legislature, members or committees thereof, information relative to the financial affairs of the Building Commission and shall assist in the preparation of the annual report of the Commission or any report when requested by the Commission.

Section 2. The Budget Officer and the State Comptroller shall each receive an annual salary in the sum of \$8,500.00 which amount is hereby appropriated therefor.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Mr. Skidmore moved that the substitute for the Bill be laid on the table, which resulted in a tie vote.

Yeas 15; Nays 15.

Yeas:

Messrs.:	Byars	High	Quarles
Andrews	Farmer	Hollis	Richardson
Benson	Faulkner	Johnson (Chambers)	Skidmore
Boutwell	Foster	Phillips	Wright

—15

Nays:

Messrs.:	Jones	McCary	Smith
Bonner	Larkins	Pinson	Sollie
Eddins	Locke (Choctaw)	Reneau	Todd
Johnston (Mobile)	Locke (Perry)	Robison	Whatley

—15

The President and Presiding Officer voted "Nay", therefore the motion to table was lost.

The question recurred on the substitute for the Bill, and said substitute was then adopted.

Yeas 16; Nays 14.

Yeas:

Messrs.:	Johnson (Chambers)	Locke (Perry)	Robison
Benson	Jones	McCary	Sollie
Bonner	Larkins	Pinson	Todd
Eddins	Locke (Choctaw)	Reneau	Whatley
Foster			

—16

*Nays:*

Messrs.:	Clayton	Hollis	Richardson
Andrews	Farmer	Johnston ( <i>Mobile</i> )	Skidmore
Boutwell	Faulkner	Phillips	Wright
Byars	High	Quarles	—14

Mr. Reneau then moved that further consideration of the Bill, as amended by the substitute, be indefinitely postponed, and on motion of Mr. Skidmore, the motion to indefinitely postpone was laid on the table.

Yeas 18; Nays 13.

*Yeas:*

Messrs.:	Clayton	Hollis	Quarles
Andrews	Farmer	Johnston ( <i>Mobile</i> )	Richardson
Benson	Faulkner	Jones	Skidmore
Boutwell	Foster	Larkins	Wright
Byars	High	Phillips	—18

*Nays:*

Messrs.:	Locke ( <i>Choctaw</i> )	Reneau	Thagard
Bonner	Locke ( <i>Perry</i> )	Robison	Todd
Eddins	McCary	Sollie	Whatley
Johnson ( <i>Chambers</i> )	Pinson		—13

Mr. Reneau then offered the following amendment to the Bill, as amended, to-wit:

## Amendment to H. B. 602

Amend Section 2 of H. B. 602 by striking from said section the figures \$8,500 and substitute in lieu thereof the following "such amount as may be set by the merit board up to \$7,200."

Mr. Skidmore moved that said amendment to the Bill, as amended, be laid on the table, which motion was lost.

Yeas 15; Nays 17.

*Yeas:*

Messrs.:	Clayton	Hollis	Quarles
Benson	Farmer	Johnston ( <i>Mobile</i> )	Richardson
Boutwell	Foster	Larkins	Skidmore
Byars	High	Phillips	Wright
			—15

*Nays:*

Messrs.:	Johnson ( <i>Chambers</i> )	Pinson	Sollie
Andrews	Jones	Reneau	Thagard
Bonner	Locke ( <i>Choctaw</i> )	Robison	Todd
Eddins	Locke ( <i>Perry</i> )	Smith	Whatley
Faulkner	McCary		—17

The question then recurred on the amendment offered by Mr. Reneau and said amendment was then lost.

Yeas 15; Nays 16.

*Yeas:*

Messrs.:	Eddins	Johnson ( <i>Chambers</i> )	Locke ( <i>Choctaw</i> )
Bonner	Faulkner	Jones	Locke ( <i>Perry</i> )

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McCary Pinson	Reneau Robison	Sollie Thagard	Todd Whatley	
				—15

*Nays:*

Messrs.: Andrews Benson Boutwell Byars	Clayton Farmer Foster High	Hollis Johnston ( <i>Mobile</i> ) Phillips Quarles	Richardson Skidmore Smith Wright	
				—16

Mr. Andrews then offered the following amendment to the Bill, as amended, to-wit:

Amend H. B. 602, as amended, by striking out the figures \$8,500.00 and substitute therefor the figures \$7,200.00.

Mr. Skidmore moved that said amendment be laid on the table, and the motion to table was lost.

Yeas 15; Nays 17.

*Yeas:*

Messrs.: Benson Boutwell Byars	Clayton Farmer Foster High	Hollis Johnston ( <i>Mobile</i> ) Larkins Phillips	Quarles Richardson Skidmore Wright	
				—15

*Nays:*

Messrs.: Andrews Bonner Eddins Faulkner	Johnson ( <i>Chambers</i> ) Jones Locke ( <i>Choctaw</i> ) Locke ( <i>Perry</i> ) McCary	Pinson Reneau Robison Smith	Sollie Thagard Todd Whatley	
				—17

The question then recurred on the amendment offered by Mr. Andrews, and said amendment was then adopted.

Yeas 17; Nays 15.

*Yeas:*

Messrs.: Andrews Bonner Eddins Faulkner	Johnson ( <i>Chambers</i> ) Jones Locke ( <i>Choctaw</i> ) Locke ( <i>Perry</i> ) McCary	Pinson Reneau Robison Smith	Sollie Thagard Todd Whatley	
				—17

*Nays:*

Messrs.: Benson Boutwell Byars	Clayton Farmer Foster High	Hollis Johnston ( <i>Mobile</i> ) Larkins Phillips	Quarles Richardson Skidmore Wright	
				—15

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 2.

**Yeas:**

Messrs.:	Farmer	Larkins	Richardson
Andrews	Foster	Locke (Perry)	Robison
Benson	High	Phillips	Skidmore
Boutwell	Hollis	Pinson	Thagard
Byars	Johnson (Chambers)	Quarles	Whatley
Clayton	Jones	Reneau	Wright
Eddins			—24

Nays: Messrs.: Bonner and Johnston (Mobile) —2

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate bills:

S. 238. To create and establish the Alabama Agricultural and Industrial Exhibit Commission, to prescribe the duties of said Commission, and to appropriate for each of the fiscal years 1951-52 and 1952-53 to said Commission out of the general funds of the State of Alabama the sum of Fifteen Thousand Dollars (\$15,000.00), which said sum the said Commission, acting with and through the Alabama State Fair Authority, a public corporation, shall use in providing, or paying premiums, rewards or prizes for beef cattle, dairy cattle, sheep, goats, hogs and other livestock; agricultural shows or exhibits; fine arts (art exhibits, including portraits, paintings, drawings, sculpture and molding of pottery); exhibits of an educational character portraying important phases of community life; educational shows and exhibits for participation therein by students; Home Economics, including cooking, sewing, preserving and other activities of women; exhibits for 4-H Clubs, Future Farmers of America, and Future Homemakers of America; poultry shows or exhibits; rabbit shows or exhibits; dog shows or exhibits; and flower shows or exhibits.

Also:

S. 428. To amend Sections 1, 2, 3, 4, 5, 6, 7 and 8½ of Act No. 370 of the Legislature of Alabama 1947, entitled "An Act Relating to livestock; prescribing certain powers and duties of the Department of Agriculture and Industries with respect to preventing, combating and extirpating certain contagious, infectious and communicable diseases of livestock; providing for the purchase, distribution and administration of anti-hog cholera serum, hog cholera virus and any other approved immunizing agent and making an appropriation therefor," approved August 16, 1947.

Also:

S. 73. To amend Section 13 of Title 39 of the 1940 Code of Alabama defining instruments payable to bearer and repealing said original section.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor to the bill:

S. 494. To amend Section 714, Title 51, Code of Alabama 1940, which



relates to the fees of probate judges for issuing licenses for operating motor vehicles.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 73; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 68; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the joint resolution:

S. J. R. 88. Relative to appointing a joint legislative committee to investigate and inquire into the administration and operation of Bryce Hospital and Partlow State School, and to make recommendations to the Legislature.

And the Speaker of the House has appointed as Conferees on the part of the House: Messrs. Shelton, Baker and Huey.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Larkins:

S. J. R. 90. Relating to the naming of Senate Bill No. 568 the Larkins-Stokes bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Davis, Grouby, Thomason and Wallace:

H. 481. To propose an amendment to the Constitution of Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 481—To the Committee on Constitution and Constitutional Revision and Amendments.

(The above bill was read at length as required by the Constitution.)

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 601. To amend Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act to regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," as amended.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Byars the Senate non-concurred in the following House amendment to the Bill, S. B. 601, the title of which is set out in the foregoing Message from the House:

That Section 5. (d) of Senate Bill 601 be amended by inserting the following after the words "Circuit Court of Montgomery County":

"or the Circuit Court of the County of the residence of the party aggrieved or the Circuit Court of the County wherein the party aggrieved does business".

Also:

Amend Section 9 of Senate Bill 601 by adding at the end of said Section 9 the following:

"Whenever stated by a licensee rates shall be stated clearly and and fully in such manner as the Bureau may require."

Also:

Amend Subsection (a) of Section 8 of Senate Bill 601 by adding the following at the end of said Subsection (a) of Section 8:

"No licensee shall pledge or hypothecate any note or security given by the borrower except to or with a person residing or maintaining a place of business in the State of Alabama, or with a bank or other recognized financial institution authorized to transact business in the State of Alabama under an agreement permitting the Bureau of Loans to examine the papers so pledged or hypothecated."

Also:

#### AMENDMENT TO S. B. NO. 601

Add a paragraph following paragraph (h) of section 5, reading as follows:

"(h) (1) The Bureau of Loans shall be authorized, after a hearing, to fix and determine the maximum rate or rates of interest and other charges which any licensee can lawfully charge. When any rate or rates of interest have been so fixed, the Bureau of Loans shall, after a hearing, suspend or revoke the license of any licensee found guilty of charging interest in excess of such rate or rates so fixed. The charging of interest in excess of such rate or rates by any such licensee shall cause both principal and interest on such loan to be forfeited. The rate or rates of interest so fixed by the Bureau of Loans shall be reasonable for the amount of the loan and the length of time within which it is repayable and shall allow the licensee a reasonable return on his investment in the small loan business but shall not be oppressive to the borrowers."

Also:

Amend Senate Bill 601 by adding the following at the end of section 14 of this Act:

"The provisions of this Act shall not apply to any person who makes less than thirty loans in any one calendar year."

And requested Committee on Conference.

Yeas 19; Nays 12.

Yeas:

Messrs.:	Farmer	Johnston (Mobile)	Pinson
Benson	Faulkner	Jones	Reneau
Boutwell	Foster	Larkins	Skidmore
Byars	High	McCary	Sollie
Clayton	Hollis	Phillips	Wright

—19

Nays:

Messrs.:	Johnson (Chambers)	Norrell	Smith
Andrews	Locke (Choctaw)	Quarles	Thagard
Bonner	Locke (Perry)	Richardson	Whatley
Eddins			

—12

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Byars, Phillips and Larkins.

### MOTION TO ADJOURN

At 4:45 P. M. Mr. Richardson moved that the Senate do now adjourn until 10 o'clock tomorrow morning, which motion was lost.

Yeas 10; Nays 23.

Yeas:

Messrs.:	Foster	Quarles	Smith
Bonner	Johnston (Mobile)	Richardson	Sollie
Eddins	Locke (Perry)	Robison	

—10

Nays:

Messrs.:	Farmer	Larkins	Reneau
Andrews	Faulkner	Locke (Choctaw)	Skidmore
Benson	High	McCary	Thagard
Boutwell	Hollis	Norrell	Todd
Byars	Johnson (Chambers)	Phillips	Whatley
Clayton	Jones	Pinson	Wright

—23

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

## HOUSE JOINT RESOLUTION NO. 131

By Mr. Adams (Jefferson):

Be it Resolved by the House, the Senate Concurring:

1. A Special joint Committee, to consist of Five members of the House appointed by the Speaker and Three members of the Senate appointed by the President of the Senate, is hereby created.

2. The Committee is authorized and directed to hold meetings, to study, to travel, to make investigations and inquiries with respect to toll roads in the United States, and to frame a report of its activities and doings.

3. The Committee, in its report, will indicate the states of the United States which have enacted toll road legislation, the year each law was passed and whether or not any roads have been built under its provisions.

If such roads have been built, the Committee will ascertain

- (a) the period of time such roads have been in service
- (b) the length of such roads and their termini
- (c) the rates of toll on such roads for

- (A) passenger cars
- (B) busses
- (C) trucks
- (D) other vehicles

4. The Committee will ascertain and report the method of financing such roads, whether by revenue bonds or bonds issued under the full faith and credit of the state, or otherwise, and shall ascertain the amount of indebtedness outstanding, the due date of each issue of securities, the rate of interest thereon, the term thereof, the premium or discount at which the same were sold, and the market price of such securities.

5. The Committee will inquire into the financial stability of each such toll road undertaking and report

(a) the comparative earnings thereof and whether such earnings have been sufficient to pay operating expenses, maintenance, interest and sinking fund

(b) the estimated net return during the remaining life of the securities and whether such return will be sufficient to retire the same at or before maturity.

6. The Committee will report

(a) toll revenue and traffic statistics by years, the latter classified according to the number of cars, busses, trucks, and other vehicles

(b) income account by years

(c) the status of

- (A) the sinking fund
- (B) the maintenance fund

- (d) comparative annual statement of revenues and expenses
- (e) comparative balance sheet as of the latest date available.

7. The Committee will ascertain the source of revenue of each toll authority, with the annual amount from each source, indicating the amount of concessions to

- (a) gas and oil stations
- (b) motels
- (c) restaurants
- (d) others

8. The Committee will ascertain and report the method by which each turnpike is maintained, whether by the turnpike authority, or by the state highway department or otherwise.

9. The Committee will report, so far as it can ascertain, the general effect, if any, of each toll road system on

(a) the free road system of the state where the toll road system is located.

(b) the national highway system.

10. The Committee will ascertain and report any unusual feature with respect to any turnpike, and especially with reference to its history and origin, so far as the committee may be able to ascertain.

11. The Committee will ascertain and report the method of selecting the members of the toll road authority in each state, the number of members thereof, their terms of office and their compensation and perquisites.

12. The Committee will investigate and report the nature of the objections which have been and are being made to toll roads or to toll road legislation in the states where the roads have been built or the legislation proposed; by whom the objections are made, the basis thereof, the individuals, interests or groups opposing toll roads, the location of their headquarters if any, and any related matters as to which the Committee may secure any information.

13. The Committee shall make its report to each House within ten days of the beginning of the legislative session on the first Tuesday in May in 1953, with such bills providing for a toll road system in Alabama as the Committee may see fit to propose.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 131, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Engelhardt, Gentle, White (Cullman) and Wilson:

H. 470. Relating to the distribution, sale, or transportation of adulterated or misbranded insecticides, fungicides, rodenticides, herbicides and other economic poisons; regulating traffic therein; providing for registration and examination of such materials, imposing penalties, and for other purposes.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 470—To the Committee on Agriculture.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 814. To make appropriations for the fiscal years 1951-52 and 1952-53 to provide facilities for a nurses' educational program at the Bryce Hospital.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Robison
Andrews	Foster	Locke (Choctaw)	Skidmore
Benson	High	Locke (Perry)	Smith
Boutwell	Hollis	Pinson	Thagard
Byars	Johnson (Chambers)	Quarles	Todd
Clayton	Johnston (Mobile)	Reneau	Whatley
Eddins	Jones	Richardson	Wright

—27

Nays:

—0

The Bill:

H. 416. To amend Section 831 of Title 51 of the Code of Alabama (1940), as amended, which relates to the procurement and form of licenses to engage in any business or do any act for which a license is required by law.

was taken up.

Messrs. Johnston (Mobile) and Boutwell offered the following substitute for the Bill, to-wit:

### SENATE SUBSTITUTE FOR H. B. 416

#### A BILL TO BE ENTITLED AN ACT

To amend Section 831 of Title 51 of the Code of Alabama (1940), as amended, which relates to the procurement and form of licenses to engage in any business or do any act for which a license is required by law.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 831 of Title 51 of the Code of Alabama (1940), as amended, is amended to read: "Before any person, firm, or corporation shall engage in or carry on any business or do any act for which a license by law is required, he, they, or it, except as otherwise provided, shall pay to the judge of probate of the county in which it is proposed to engage in or carry on such business or do such act, or to the commissioner

of licenses or the state department of revenue, as specifically the amount required for such license, and shall comply with all the other requirements of this title; and upon the payment of such amount and a fee of fifty cents herein provided, for the issuance of such license and all costs and fees and penalties which shall have accrued, or which such person, firm or corporation shall have become liable in any proceedings commenced for the collection of such license, or to enforce payment thereof, such probate judge, commissioner of licenses or department of revenue shall issue the license properly countersigned, in the form and on the blank to be furnished by the comptroller, which shall set forth and specify the name of the person, firm or corporation applying therefor, whether the business, profession or occupation for which the license is procured is owned by an individual, partnership, corporation or other association, stating the name of the individual, the name of each of the partners if a partnership, the exact name of the corporation or association, if a corporation or association and the name of each of the principal officers thereof, the business or act which it is proposed to carry on or do thereunder, the name of the street or location where it is proposed to carry on the same, if such location shall be in a city or town and have a street number, and if not, then the location and amount paid for such license, and the time for which it is issued; and if the license is for a peddler it shall state whether he proposes to travel on foot or on horseback or on wagon or motor vehicle, provided the governing body of any county may furnish application blanks in such form that the applicant for a license may supply the above information in writing; and such license shall not be transferable except as otherwise provided herein; nor shall it entitle the holder thereof to carry on any other business or do any other act than that named therein. (a) Whenever a license is levied in this title, there shall be collected both a state and county license for each place of business, except as specifically otherwise provided. (b) In case it should become necessary to remove any business for which a license is required by this section, from one location to another location in the same county, and such business be continued as the same kind and character and by the same person or firm as that carried on at the former location, another license shall not be required for such business for the same license year. (c) There is hereby levied for the use and benefit of and to be paid to the county in which the license is issued, in addition to all license taxes levied under the provisions of article 1 of chapter 20, for state purposes and which are payable to the judge of probate or commissioner of licenses, a sum equal to fifty per cent of the amount levied for state purposes, except as otherwise specifically provided. (d) Any action to recover the amount due for any license, whether levied solely for state purposes or for state and county purposes, shall be instituted by the State of Alabama, and may include all penalties and fees due by any person, in addition to the amount due for such license and interest thereon. The amount recovered in any such actions shall be paid to the state department of revenue, and if any portion of said license was levied for county purposes, such portion shall be remitted to the county in which such license was payable, and the department may from the amount of any penalties or fees thus recovered remit; the amount, if any, due to the judge of probate, commissioner of licenses or license inspector."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:  
Andrews

Benson  
Boutwell

Byars  
Clayton

Eddins  
Farmer

Faulkner	Jones	Pinson	Smith
Foster	Larkins	Quarles	Sollie
High	Locke (Choctaw)	Reneau	Thagard
Hollis	Locke (Perry)	Richardson	Todd
Johnson (Chambers)	McCary	Robison	Whatley
Johnston (Mobile)	Phillips	Skidmore	Wright

—31

**Nays:** —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 31; Nays 0.

**Yeas:**

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	Foster	Locke (Perry)	Skidmore
Benson	High	McCary	Smith
Boutwell	Hollis	Phillips	Sollie
Byars	Johnson (Chambers)	Pinson	Thagard
Clayton	Johnston (Mobile)	Quarles	Todd
Eddins	Jones	Reneau	Whatley
Farmer	Larkins	Richardson	Wright

—31

**Nays:** —0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 602. To require the Division of the Budget and the Budget Officer and the State Comptroller to furnish certain fiscal information and data to members of the Legislature, to require the Budget Officer to assist in the fiscal management of the Alabama Building Commission or its successor, to provide for the salary of the State Budget Officer and the State Comptroller, and to provide an effective date for this Act.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 357. To propose an amendment to the Constitution of Alabama in relation to expenditure of moneys derived from fees or taxes relating to the use of vehicles on public highways, or to fuels used for propelling such vehicles.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Todd, the Senate non-concurred in the following House amendment to the Bill, S. B. 357, the title of which is set out in the foregoing Message from the House:



## AMENDMENT TO S. B. 357

Amend Section 4 of S. B. 357 to read as follows:

"Section 4. An election upon the proposed amendment is ordered to be held on the first Tuesday following the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940)."

Amend S. B. 357 by striking therefrom the words "levied by the State", wherever the same appear therein and insert in lieu thereof the following words "Levied for the use of the State"

And requested Committee on Conference.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Todd, Eddins and Quarles.

At 5:15 P. M., Mr. Quarles moved that the Senate do now adjourn until tomorrow at 10 o'clock A. M., which motion was lost.

Yeas 11; Nays 21.

Yeas:

Messrs.:	Foster	Quarles	Skidmore
Bonner	• Johnston ( <i>Mobile</i> )	Richardson	Smith
Eddins	Locke ( <i>Perry</i> )	Robison	Sollie

—11

Nays:

Messrs.:	Farmer	Larkins	Reneau
Andrews	Faulkner	McCary	Thagard
Benson	High	Norrell	Todd
Boutwell	Hollis	Phillips	Whitley
Byars	Johnson ( <i>Chambers</i> )	Pinson	Wright
Clayton	Jones		

—21

## MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the bill:

S. 601. To amend Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act To regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," as amended.

And the Speaker of the House appointed as Conferees on the part of the House Messrs. Solomon, Dumas and Beatty.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 349. To amend Section 718, Title 7, Code of Alabama (1940), which relates to the costs of publication of legal notices.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 739. To authorize and make provision for the incorporation in any county in this state of a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating certain buildings designed for use by the county in which the corporation is organized; to provide for the election of its directors and officers; to specify its powers; to authorize it and the county in which it is organized to enter into leases covering the properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building and office facilities for the courts, jail, officers, departments and agencies of the county performing governmental duties to be an essential governmental function of the county and the rentals incurred by the county for such purpose to be a necessary governmental operating expense of the county; to authorize the issuance by such corporation of interest bearing revenue warrants payable solely out of the revenues from the projects with respect to which they are issued; to specify certain provisions of said warrants; to provide that said warrants may be secured by pledge of such revenues, lease and rentals and by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said warrants may be put; to authorize the refunding of said warrants; to provide for remedies in the event of any default; to exempt from taxation the properties of such corporation and the income from the leases made with respect thereto said warrants and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the county in said warrants; to specify the period of time after publication of notice of the adoption of the resolution authorizing said warrants within which actions and defenses may be asserted respecting said warrants, pledge and mortgage; to authorize the transfer to such corporation, with or without consideration, by the county of properties owned by the county and which are not necessary for the conduct of the public functions of the county; to provide for the vesting in the county of title to the properties of such corporation upon payment of its warrants; and to provide for dissolution of the corporation.

was taken up.

Mr. Locke (Perry) offered the following amendment to the Bill, to-wit:

Amend H. B. 739 by adding Section 18½ as follows:

"Provided however no warrants provided for by the terms of act, shall be issued until such bond issue has been authorized by a majority vote of the qualified voters of the county wherein said warrants are to be issued, at an election called by the proper authorities of said County."

On motion of Mr. Andrews, said amendment was laid on the table.

And said Bill was then read a third time at length and passed.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Foster	Locke (Choctaw)	Robison	
Andrews	High	Locke (Perry)	Skidmore	
Benson	Hollis	McCary	Smith	
Bonner	Johnson (Chambers)	Norrell	Sollie	
Clayton	Johnston (Mobile)	Pinson	Thagard	
Eddins	Jones	Quarles	Whatley	
Farmer	Larkins	Reneau	Wright	
Faulkner				—28

Nay: Mr. Boutwell —1

### RESOLUTION

Mr. Thagard offered the following Senate Joint Resolution, to-wit:

S. J. R. No. 91. Be it resolved by the Senate, the House concurring that S. B. 349 be known and designated as the Thagard, Thomas, White (Covington), Kendall and Sellers Bill.

And on motion of Mr. Thagard the Rules were suspended and the Resolution adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Garrett:

H. 932. To amend Section 385 of Title 2 of the Code of Alabama of 1940 relating to livestock dealer's permits.

Also:

By Mr. Simpson:

H. 650. Authorizing and directing the State Highway Director to make a payment of two thousand dollars for the relief of James Stoker of Fayette County from any funds appropriated to the Highway Department.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 932—To the Committee on Agriculture.

H. B. 650—To the Committee on Finance and Taxation.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 733. To authorize each of the municipalities in this state to acquire properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural or manufactured product and (b) any commercial en-

terprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize municipalities to lease such properties subject to certain specified requirements; to authorize municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Was read a third time at length and passed.

Yeas 24; Nays 7.

**Yeas:**

Messrs.:	Foster	McCary	Skidmore
Andrews	High	Norrell	Smith
Benson	Hollis	Pinson	Thagard
Clayton	Jones	Quarles	Todd
Eddins	Larkins	Reneau	Whatley
Farmer	Locke (Choctaw)	Robison	Wright
Faulkner			

—24

**Nays:**

Messrs.:	Boutwell	Johnston (Mobile)	Richardson
Bonner	Johnson (Chambers)	Locke (Perry)	Sollie

—7

**PROTEST AGAINST H. B. 733**

PURSUANT to Section 55 of the Constitution of 1901 I hereby protest against House Bill No. 733, and assign the following as reasons therefor:

1. The bill is discriminatory. It MAY ENCOURAGE new businesses and industries. It certainly WILL DISCOURAGE old businesses and industries—those businesses and industries that have throughout the years borne their share of our tax burdens and helped in so many other ways to build our cities. It is not fair to bring new industries or new businesses to the State at the expense of the old established ones. Nor is it just to exempt one from taxation and not exempt the other, for this makes for unfair competition. The bonds issued to get the capital for land and buildings will be municipal bonds, which are currently exempt from both Federal and State income taxes.

2. The use of funds derived from the sale of municipal bonds for the purpose of building these plants might result in the taxation of income from all municipal bonds by the Federal government. It is only through the most diligent effort on the part of local government officials

that the income from municipal government bonds has been exempted from liability for federal income tax. The fight for this was won on the theory that the Federal government should not interfere with purely municipal governmental affairs. But surely no one can claim that the purchase of land and buildings for private business is, under any stretch of the imagination, a normal function of municipal government. If local governments lose that tax exemption, they have lost far more than they can possibly gain through such a socialistic venture as financing private enterprise.

3. From the standpoint of municipal financing this bill is dangerous. Suppose the city issues \$1,000,000 worth of bonds under this bill, and constructs a manufacturing plant for some private company which agrees to amortize the loan (bonds and interest) over a period of ten years. The bonds and interest are payable only from the rental of the plant. Now suppose further that one of our periodic economic collapses comes and the company goes bankrupt. This leaves the city "holding the bag." It not only has a big idle industrial building on its hand, but there is a big debt facing it, too, for there will be a default in the payment of both the interest and principal of the bonds, and though the bonds are only revenue bonds and the full faith and credit of the municipality is not pledged to their payment, unless they are paid the city's credit will suffer. Certainly a default on these bonds will be very damaging to the city's general credit.

I respectfully request that the above and foregoing protest and my reasons therefor be spread upon the Journals of this Senate all in accordance with Section 55 of the Constitution of Alabama of 1901.

ALBERT BOUTWELL.

The foregoing protest against the passage of H. B. 733 was read and ordered spread upon the Journal.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills, begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 73. To amend Section 13 of Title 39 of the 1940 Code of Alabama defining instruments payable to bearer and repealing said original section.

Also:

S. 238. To create and establish the Alabama Agricultural and Industrial Exhibit Commission, to prescribe the duties of said Commission, and to appropriate for each of the fiscal years 1951-52 and 1952-53 to said Commission out of the general funds of the State of Alabama the sum of Fifteen Thousand Dollars (\$15,000.00), which said sum the said Commission, acting with and through the Alabama State Fair Authority, a public corporation, shall use in providing, or paying, premiums, rewards or prizes for beef cattle, dairy cattle, sheep, goats, hogs and other livestock; agricultural shows or exhibits; fine arts (art exhibits, including portraits, paintings, drawings, sculpture and molding of pottery); exhibits of an educational character portraying important phases of community life; educational shows and exhibits for participation therein by students; Home Economics, including cooking, sewing, preserving and other activities of women; exhibits for 4-H Clubs, Future Farmers of America, and Future Homemakers of America; poultry shows or exhibits;

rabbit shows or exhibits; dog shows or exhibits; and flower shows or exhibits.

Also:

S. 428. To amend Sections 1, 2, 3, 4, 5, 6, 7 and 8½ of Act No. 370 of the Legislature of Alabama 1947, entitled "AN ACT Relating to live-stock; prescribing certain powers and duties of the Department of Agriculture and Industries with respect to preventing, combating and extirpating certain contagious, infectious and communicable diseases of live-stock; providing for the purchase, distribution and administration of anti-hog cholera serum, hog cholera virus and any other approved immunizing agent and making an appropriation therefor," approved August 16, 1947.

Also:

S. 494. To amend Section 714, Title 51, Code of Alabama 1940, which relates to the fees of probate judges for issuing licenses for operating motor vehicles.

Also:

S. J. R. 90. Relative to: Naming Senate Bill No. 568.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 580. Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Hollis, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 580, the title of which is set out in the foregoing Message from the House:

#### SUBSTITUTE FOR S. B. 580

#### A BILL TO BE ENTITLED AN ACT

Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy

persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Each county department of public welfare, upon receipt of an application for public assistance of any kind, in addition to the duties otherwise imposed upon it and acting without unnecessary delay and with diligence, shall investigate the facts relating to the income and financial condition of the applicant's or recipient's living husband, wife, father, mother, son or daughter or any and all of them. In making such investigation the department or its duly authorized agents are hereby required to obtain statements from the applicants and from any such person whose income and financial condition is at issue. Refusal or failure to furnish such statement shall be prima facie evidence of ability to support applicant or recipient. If any responsible relative resides without the State the county department of public welfare shall send a special delivery registered letter, return receipt requested, marked "for delivery only to the person to whom addressed", to said relative requesting the required financial information. If the letter is delivered and is not answered within 30 days it shall be prima facie evidence that said relatives or relative are able to support applicant or recipient.

Section 2. The county department shall then make a determination as to the financial liability of each named relative referred to herein for contribution to the applicant's or recipient's support in accordance with the contribution scale established by this Act and shall notify in writing said relative of the amount of contribution for which said relative is responsible to contribute to the applicant or recipient.

Section 3. Such relatives of each needy person named in this Act shall be liable for the support of such needy person for monthly amounts of money determined in accordance with the following scale.

**RELATIVE CONTRIBUTION SCALE  
INCOME SCALE FOR DETERMINING ABILITY OF RESPONSIBLE  
RELATIVES TO SUPPORT APPLICANT OR RECIPIENT**

<p>If the following Number of persons (Including wage-earner) are dependent upon the income:</p>	<p>And if the monthly income (before deductions) is more than the amount in the scale, then 50% of the surplus is the amount considered available to the applicant or recipient not to exceed the sum of fifty dollars per month.</p>
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Income Scale	
1	\$200.00
2	275.00
3	350.00
4	410.00
5	460.00
6	510.00
7	560.00
8 and over	600.00

As used in this Act: A "needy person" is one who is eligible for public assistance under the laws of this state.

Section 4. (a) No needy person who has a living relative as named in this Act who is liable to support him under the provisions hereof shall receive any public assistance unless the amount such relative or relatives are liable to contribute is less than the amount such person would be eligible to receive if he had no such relatives, in which case he shall be eligible to receive such amount less the amount such relative or relatives are liable to contribute.

(b) A "responsible relative" as used in this Act shall be the husband, wife, father, mother, son or daughter. The Director of the county welfare department may, with the written approval of the Director of the State department of public welfare waive or modify the amount a responsible relative shall contribute upon satisfactory evidence of the inability of said responsible relative to contribute as provided for herein. In waiving or modifying the amount a responsible relative shall contribute, the Department of Public Welfare shall be limited to unusual expenses not covered by insurance or medical care, including hospitalization, and funeral expenses and loss of property. Said waiver or modification may be temporary or permanent.

Section 5. From and after the effective date of this Act such needy person and his relatives responsible for support under this Act shall have a cause of action for support established by this Act as against such responsible relative. Proceedings may be instituted upon complaint by such needy person or by his relatives responsible for support under this Act who furnish such support from date of ascertainment of the amount of such contribution and notice thereof. The equity courts of the several counties of the State shall have and exercise exclusive and original jurisdiction in all cases arising under this Act. The institution and trial of such cases shall be had and conducted as other cases are instituted and tried in equity courts. In the trial of such cases the court shall determine both the law and the facts without the intervention of a jury, and shall award such judgment under the terms of this Act, as shall seem just. In any such action, judgment may be entered for all accumulated contributions for which the defendants are liable under this Act and may provide for future contributions as the facts may justify. The amount collected as a result of such legal proceedings shall be transmitted by the court to the needy person or such responsible person who furnishes such support. Any person aggrieved by such order or judgments by said court may appeal as provided for in case of appeals by said court to the Supreme Court and under the same rules and regulations regulating appeals from equity courts.

Section 6. Each county department of public welfare shall, at least once each year, review the case of each recipient of public assistance of any kind to determine if such recipient has a relative or relatives liable to contribute to his support under the provisions of this Act. If the recipient does have such relative or relatives, he shall receive no further assistance or shall have the amount thereof reduced, as the case may be, and such relative or relatives may be proceeded against as provided in this Act in the case of relatives liable to contribute to the support of applicants for public assistance.

Section 7. The Commissioner of Public Welfare, with the approval of the State Board of Public Welfare, shall have authority to promulgate reasonable rules and regulations, not inconsistent with the provisions hereof, for carrying out the purposes of this Act.

"Section 7½. Any person who willfully and corruptly makes any false statement in writing to such department and by means of such false statement obtains or assists another to obtain benefits they or such other person would not otherwise be entitled to receive shall be guilty of false pretense and upon conviction punished as if they had stolen such money so fraudulently obtained."



Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective October 1, 1951.

Yeas 24; Nays 2.

Yeas:

Messrs.:	Faulkner	McCary	Richardson
Andrews	Hollis	Norrell	Robison
Boutwell	Johnson (Chambers)	Phillips	Sollie
Byars	Johnston (Mobile)	Pinson	Thagard
Clayton	Larkins	Quarles	Whatley
Eddins	Locke (Choctaw)	Reneau	Wright
Farmer			—24

Nays: Messrs. Jones and Smith —2

#### MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the bill:

S. B. 357. To propose an amendment to the Constitution of Alabama in relation to expenditure of moneys derived from fees or taxes relating to the use of vehicles on public highways, or to fuels used for propelling such vehicles.

And the Speaker of the House has named as Conferees on the part of the House Messrs. Harrison (Shelby), Merrill, and Ward.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 416. To amend Section 831 of Title 51 of the Code of Alabama (1940), as amended, which relates to the procurement and form of licenses to engage in any business or do any act for which a license is required by law.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Tumlin, Thomason and Thomas:

H. 255. To provide for alternate jurors in all civil and criminal cases which are tried by jury.

Also:

By Mr. Pfleger:

H. 1115. To amend Section 75 of Title 62 of the Code of Alabama of 1940 relative to the appointment and compensation of a physician as assistant to the coroner of Mobile County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that a local bill for Mobile County, in substance as follows, will be offered for introduction and passage at the present 1951 Session of the Legislature of Alabama.

#### "A BILL TO BE ENTITLED AN ACT"

To amend Section 75, of Title 62 of the Code of Alabama of 1940 relative to the appointment and compensation of a physician as assistant to the coroner of Mobile County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 75 of Title 62 of the Code of Alabama of 1940 be and the same hereby is amended to read as follows:

"Section 75. Appointment and Compensation of Coroner's Physician. The coroner may have as an assistant a person learned in medicine and surgery and duly licensed to practice medicine in Alabama, who shall be known as the coroner's physician. The coroner's physician shall be appointed by the Coroner to serve permanently or from time to time as the coroner may deem necessary and shall receive such compensation as the coroner shall fix, not to exceed one hundred dollars per month, which compensation shall be paid in the same manner as the coroner is paid out of the general fund of the county treasury. The coroner's physician shall also be reimbursed for necessary traveling expenses not exceeding \$200.00 per year out of the general funds of the county, to be paid annually upon his certificate that he has expended said sum for traveling expenses in the performance of his duties, but said expenses need not be itemized."

Section 2. All laws in conflict herewith are repealed.

Section 3. This act shall be effective upon its passage and approval, or otherwise becoming law."

Press, July 24, 31; Aug. 7, 14

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Press July 24, 31, Aug. 7, 14th, 1951.

W. M. CURRAN.

Sworn to and subscribed before me this 18th day of Aug., 1951.

ALVIN A. JOHNSON,  
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 255—To the Committee on Judiciary.

H. B. 1115—To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Adams (Jefferson):

H. 56. To amend Section 293, Title 26, Code of Alabama (1940), relating to compensation for medical, surgical, and hospital services under the Workmen's Compensation Act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 56—To the Committee on Immigration, Industrial Resources and Labor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Morgan (Tuscaloosa), Fite (Marion), Kendall, Davis Morgan (Jefferson), Beatty, Wallace and Hawkins (Etowah):

H. 774. Requiring Communists and knowing members of Communist Front Organizations to register with the Department of Public Safety; providing that neither the names of nominees of the Communist Party nor the names of Communists shall appear upon the ballots in primary or general elections; providing that probable Communists and knowing members of Communist Front Organizations shall not hold non-elective public positions or jobs; outlawing sabotage; defining terms; and prescribing penalties for violations of the Act.

Also:

By Mr. Harrison (Shelby):

H. 979. To make an appropriation to the State Board of Veterinary Medical Examiners for each of the fiscal years ending September 30, 1952 and September 30, 1953.

Also:

By Mr. Selden:

H. 157. To amend Section 117 of Title 23 of the Code of Alabama (1940), as amended, which relates to the part of the proceeds of the excise tax on gasoline appropriated to the Alabama Highway Finance Corporation.

Also:

By Mr. Harrison (Shelby):

H. 1055. To Further Regulate the Handling of Statutory Deposits heretofore or hereafter made by Insurance Companies with the State Treasurer Pursuant to any Act of the Legislature now in Force or hereafter Enacted.

Also:

By Mr. Shelton:

H. 995. To amend section 89, Title 51, Code of Alabama 1940, as amended, by Act No. 350, approved by the Governor July 1, 1943, General Acts of 1943, page 333.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 774—To the Committee on Judiciary.

H. B.'s 979 and 995—To the Committee on Finance and Taxation.

H. B. 157—To the Committee on Public Roads and Highways.

H. B. 1055—To the Committee on Insurance.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Wallace:

H. 592. To establish the Alabama Commission on Inter-governmental Relations; providing for its organization, membership, powers, duties and personnel; providing for the compensation and expenses of its members and the compensation of its personnel; and making an appropriation to carry out the provisions of the Act.

Also:

By Mr. Oden:

H. 754. Relating to taxation: exempting crushed limestone when sold or used for application to the soil by farmers from the sales and use taxes levied by Articles 10 and 11, Chapter 20, Title 51, Code of Alabama, 1940, as amended.

Also:

By Mr. Martin:

H. 685. For the relief of Miss Allie May.

Also:

By Mr. Faulk:

H. 798. To require persons who purchase pecans for re-sale to maintain records of their purchases; and prescribing penalties for violations of the Act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 592, 754, 685 and 798—To the Committee on Finance and Taxation.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 604. Relating to schools; requiring courses of instruction in safe driving in the public high schools; making appropriations to effectuate the purposes of this Act.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

Finance and Taxation Committee Amendment to Senate Bill No. 604:

Amend Senate Bill No. 604, Section 2, by striking therefrom the words "five hundred thousand" and inserting in lieu thereof the words "fifty thousand".

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Johnson (Chambers)	Phillips	Smith	
Andrews	Johnston (Mobile)	Pinson	Sollie	
Benson	Jones	Quarles	Thagard	
Boutwell	Larkins	Reneau	Todd	
Clayton	Locke (Choctaw)	Richardson	Whatley	
High	McCary	Robison	Wright	
Hollis	Norrell	Skidmore		—26

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	High	McCary	Skidmore	
Andrews	Hollis	Norrell	Smith	
Benson	Johnson (Chambers)	Phillips	Sollie	
Boutwell	Johnston (Mobile)	Pinson	Thagard	
Clayton	Jones	Quarles	Todd	
Eddins	Larkins	Reneau	Whatley	
Farmer	Locke (Choctaw)	Richardson	Wright	
Foster	Locke (Perry)	Robison		—30

Nays:

—0

The Bill:

H. 544. To create a State Department of Public Welfare; to provide for a State Board of Public Welfare and to prescribe its powers and duties; to provide for the appointment of a Commissioner, as executive and administrative officer, and other employees; to authorize the allocation of Federal and State funds in a manner to provide equitable treatment of needy individuals in similar circumstances; to prescribe the duties, powers and responsibilities of the Department; to create county departments of public welfare and to describe their duties; to provide for

county boards of public welfare and to prescribe their duties; to authorize county and city governing bodies to make other and further provisions for the needy; to define who is entitled to old age assistance, aid to the blind, aid to dependent children, and aid to the permanently and totally disabled; to provide for the method of making application, the determination of eligibility, and the amount of assistance; to authorize payment after death for the month in which the recipient dies; to define the obligations of persons applying for or receiving assistance; to define the rights of persons applying for or receiving assistance to appeal; to authorize state and county departments to subpoena witnesses; to authorize the State Department to develop standards of assistance and to further define the authority of the State Department; to provide penalty for false representation; to exempt assistance grants from taxes, levy, garnishment, or other process; to authorize old age assistance for eligible confederate pensioners; to provide for payments over maximum in which the Federal government will share for hospital care for old age assistance applicants and recipients; to authorize county boards to review public assistance cases; to appropriate surplus and residue from the proceeds of the levy of the one mill tax for the relief of needy confederate soldiers and sailors and their widows; to provide for the severability of the provisions; and to provide for the time the Act shall take effect.

was taken up.

Mr. Richardson offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO HOUSE BILL NO. 544

Amend Section 7 of the bill by striking from Section 7 the words inserted in the tenth line thereof as follows: "provided that no person holding an elective office or who is a candidate for such office, shall be a member of such county board of welfare" and inserting in lieu thereof the following: "Provided, that no person holding an elective public office, no person who is a candidate for election to a public office, no person who is an employee of the county department of public welfare, and no person who is related by blood or by marriage to any such officer, or employee, shall be a member of such county board of welfare."

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Skidmore
Andrews	High	Phillips	Smith
Benson	Johnson (Chambers)	Pinson	Sollie
Boutwell	Johnston (Mobile)	Quarles	Thagard
Byars	Jones	Reneau	Todd
Clayton	Larkins	Richardson	Whately
Eddins	Locke (Choctaw)	Robison	Wright
Farmer	McCary		

—29

Nays:

—0

Mr. Johnston (Mobile) offered the following amendment to the Bill, as amended, to-wit:

Amend H. B. 544 by striking the period at the end of the first sentence of Section 3 thereof and adding the following to said sentence "with the advice and consent of the Senate."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Faulkner	McCary	Skidmore
Andrews	High	Norrell	Smith
Benson	Hollis	Phillips	Sollie
Boutwell	Johnson (Chambers)	Pinson	Thagard
Byars	Johnston (Mobile)	Quarles	Todd
Clayton	Jones	Reneau	Whatley
Eddins	Larkins	Richardson	Wright
Farmer	Locke (Choctaw)	Robison	

—30

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 3.

Yeas:

Messrs.:	Hollis	Phillips	Skidmore
Andrews	Johnson (Chambers)	Pinson	Smith
Benson	Jones	Quarles	Sollie
Boutwell	Locke (Choctaw)	Reneau	Todd
Byars	McCary	Richardson	Whatley
Eddins	Norrell	Robison	Wright
Faulkner			

—24

Nays: Messrs. Clayton, Johnston (Mobile) and Thagard —3

The Bill:

H. 546. To create a state public welfare trust fund, defining the receipts of the fund and providing for disbursements from the fund.

Was read a third time at length and passed.

Yeas 25; Nays 2.

Yeas:

Messrs.:	High	McCary	Richardson
Andrews	Hollis	Norrell	Robison
Benson	Johnson (Chambers)	Phillips	Skidmore
Boutwell	Johnston (Mobile)	Pinson	Smith
Byars	Jones	Quarles	Sollie
Eddins	Larkins	Reneau	Wright
Faulkner	Locke (Choctaw)		

—25

Nays: Messrs. Clayton and Thagard —2

The Bill:

H. 547. To amend Title 51, Section 784, Code of Alabama, 1940, as amended, which relates to the disposition of the revenues from the sales tax.

Was read a third time at length and passed.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Boutwell	Farmer	Johnson (Chambers)
Andrews	Byars	Faulkner	Jones
Benson	Eddins	Hollis	Larkins

Locke (Choctaw)	Pinson	Robison	Sollie	
McCary	Quarles	Skidmore	Whatley	
Norrell	Reneau	Smith	Wright	
Phillips	Richardson			—25
Nays:	Messrs. Clayton and Johnston (Mobile)			—2

The Bill:

H. 1072. Relating to the registration and purgation of voters in counties having a population of 400,000 or more according to the 1940 or any succeeding decennial Federal Census; providing for the selection and compensation of the chairman of the Board of Registrars; providing for meeting days of the Board of Registrars for the registration and purgation of voters; conferring power on the Board of Registrars to establish, alter and consolidate election districts and precincts and designate voting places and to manage and control its office, to employ clerks and personnel subject to the provisions of any Merit or Civil Service System Act having application in such county, and to be the appointing authority of all of its employees subject to the provisions of any such Merit or Civil Service System Act, and to divest the governing body of such county and the Judge of Probate of such county of all such powers, functions and duties; and providing that this Act shall supersede all laws and parts of laws in so far as such counties are concerned.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Norrell	Sollie	
Andrews	High	Phillips	Thagard	
Boutwell	Hollis	Pinson	Todd	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Smith	Wright	
Eddins	McCary			—21

Nays: —0

The Bill:

H. 111. To amend Section 814 of Title 7 of the Code of Alabama of 1940 (Relating to judgments of affirmance on appeals.)

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Faulkner	McCary	Robison	
Andrews	High	Norrell	Skidmore	
Benson	Hollis	Phillips	Smith	
Boutwell	Johnson (Chambers)	Pinson	Sollie	
Byars	Johnston (Mobile)	Quarles	Thagard	
Clayton	Jones	Reneau	Whatley	
Eddins	Larkins	Richardson	Wright	
Farmer	Locke (Choctaw)			—29

Nays: —0

The Bill:

H. 231. To provide a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner



prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee; and to provide a supplement to the retirement benefits of certain state employees who are now or will be retired by the Board of Trustees of the Employees' Retirement System under provisions of Act 515, approved July 9, 1945; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act Number 607 approved October 9, 1947 which provides a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945.

Was read a third time at length and passed.

Yeas 24; Nays 0.

*Yeas:*

Messrs.:	Farmer	Locke (Choctaw)	Richardson	
Andrews	Faulkner	McCary	Robison	
Benson	Hollis	Norrell	Smith	
Boutwell	Johnson (Chambers)	Pinson	Thagard	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Reneau	Wright	
Eddins				—24

*Nays:*

—0

The Bill:

H. 734. To amend Section 3 and 4 of Act 515, General Acts 1945, approved July 9, 1945.

Was read a third time at length and passed.

Yeas 30; Nays 0.

*Yeas:*

Messrs.:	Faulkner	McCary	Skidmore	
Andrews	High	Norrell	Smith	
Benson	Hollis	Phillips	Sollie	
Boutwell	Johnson (Chambers)	Pinson	Thagard	
Byars	Johnston (Mobile)	Quarles	Todd	
Clayton	Jones	Reneau	Whatley	
Eddins	Larkins	Richardson	Wright	
Farmer	Locke (Choctaw)	Robison		—30

*Nays:*

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Faulk:

H. 732. Relating to livestock; making it a misdemeanor for any person knowingly or wilfully to sell any hog, pig, or shoat which is infected with hog cholera.

Also:

By Mr. Selden:

H. 669. Relating to highways; to provide for matching federal aid highway funds, restricting expenditures for state-financed construction.

Also:

By Mr. Wallace:

H. 479. To amend Section 52 of Title 37 of the Code of Alabama of 1940.

Also:

By Messrs. Roberson and Russell:

H. 1031. To declare valid and legal the creation, establishment and organization of housing authorities, and all bonds, notes, agreements and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken or done with reference thereto.

Also:

By Messrs. Pflieger and Gallalee:

H. 639. Relating to public records; amending Sections 393 and 428 of Title 7, Code of Alabama (1940).

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 732—To the Committee on Agriculture.

H. B. 669—To the Committee on Public Roads and Highways.

H. B.'s 479, 1031 and 639—To the Committee on Judiciary.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 739. To authorize and make provision for the incorporation in any county in this state of a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating certain buildings designed for use by the county in which the corporation is organized; to provide for the election of its directors and officers; to specify its powers; to authorize it and the county in which it is organized to enter into leases covering the properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building and office facilities for the courts, jail, officers, departments and agencies of the county performing governmental duties to be an essential governmental function of the county and the rentals incurred by the county for such purpose to be a necessary governmental operating expense of the county; to authorize the issuance by such corporation of interest bearing revenue warrants payable solely out of the revenues from the projects with respect to which they are issued; to specify certain provisions of said warrants; to provide that said warrants may be secured by pledge of such revenues, lease and rentals and by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said warrants may be put; to authorize the refunding of said warrants; to provide for remedies in the event of any default; to exempt from taxation the properties of such corporation and

the income from the leases made with respect thereto, said warrants and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the county in said warrants; to specify the period of time after publication of notice of the adoption of the resolution authorizing said warrants within which actions and defenses may be asserted respecting said warrants, pledge and mortgage; to authorize the transfer to such corporation, with or without consideration, by the county of properties owned by the county and which are not necessary for the conduct of the public functions of the county; to provide for the vesting in the county of title to the properties of such corporation upon payment of its warrants; and to provide for dissolution of the corporation.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bills, your signature thereto is requested.

H. J. R. 130. Relative to designating H. B. 77.

Also:

H. 814. To make appropriations for the fiscal years 1951-52 and 1952-53 to provide facilities for a nurses' educational program at the Bryce Hospital.

Also:

H. 602. To require the Division of the Budget and the Budget Officer and the State Comptroller to furnish certain fiscal information and data to members of the Legislature, to require the Budget Officer to assist in the fiscal management of the Alabama Building Commission or its successor, to provide for the salary of the State Budget Officer and the State Comptroller, and to provide an effective date for this Act.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

#### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Boutwell, further consideration of all Senate bills left on the Calendar was indefinitely postponed by the Senate.

REPORT OF COMMITTEE  
ON  
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Thirty-fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the Thirty-fourth Legislative Day approved by the Senate.

ADJOURNMENT

At 7:00 o'clock P. M., on motion of Mr. Clayton and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until 9 o'clock A. M. tomorrow, August 31, 1951.

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THIRTY-FIFTH LEGISLATIVE DAY

FRIDAY, AUGUST 31, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

PRAYER

The Session was opened with prayer by Hon. J. H. Faulkner, Member of the Senate.

ROLL CALL

Present:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright

—35

JOURNAL

On motion of Mr. Bonner, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORTS OF COMMITTEES

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and

they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Gallalee, Pflieger and Wilkins:

H. 872. To amend "An Act to abolish Bills of Exception in the Circuit Court and courts of like jurisdiction and all other courts of record having a full time Court Reporter and from which appeals lie directly to the Court of Appeals or the Supreme Court of Alabama in cases at law, and to provide for the evidence to be transcribed and made a part of the record and for assignments of error on the record," approved July 12, 1943.

By Messrs. Solomon and Harrison (Shelby):

H. 953. To provide for the attendance of witnesses at any hearing to revoke the probation of any defendant on probation.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Adams (Jefferson), Beatty, Meeks, Huey and Morgan (Jefferson) (By request):

H. 1119. To amend Section 253 of Title 13, Code of Alabama 1940, as amended by General Acts of the Legislature 1947, page 63, approved July 21, 1947, as amended by General Acts of the Legislature 1949, page 1030, approved September 19, 1949.

By Messrs. Meeks, Adams (Jefferson), Beatty, Morgan (Jefferson):

H. 652. To fix and designate the salary of Supernumerary Circuit Judges, their tenure of office and to prescribe their duties, and to refund to them their reasonable expenses for travel and hotel bills while engaged in their official duties in counties other than that of their residence.

By Mr. Miller:

H. 408. To make a contingency appropriation of \$40,000.00 to the Agricultural Center Board from the Agricultural Fund of the State Treasury to be used exclusively for the purpose of aiding in the constructing and equipping by counties and municipalities of facilities suitable for housing fat livestock shows, agricultural and industrial displays and other exhibits consistent with the public good.

By Mr. Faulk:

H. 242. Relating to taxation; to exempt exchanges of cottonseed meal for cottonseed at gins from the sales and use taxes.

By Mr. Wallace:

H. 592. To establish the Alabama Commission on Intergovernmental Relations; providing for its organization, membership, powers, duties and personnel; providing for the compensation and expenses of its members and the compensation of its personnel; and making an appropriation to carry out the provisions of this Act.

Mr. High, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Selden:

H. 50. To provide for taking up and impounding livestock or animals running at large upon State and Federal Aid Highways which have

been officially designated as such regularly and customarily patrolled by the State Highway Patrol, or upon the right of ways of such highways.

By Messrs. Englehardt, Gentle, White (Cullman) and Wilson:

H. 470. Relating to the distribution, sale, or transportation of adulterated or misbranded insecticides, fungicides, rodenticides, herbicides and other economic poisons; regulating traffic therein; providing for registration and examination of such materials, imposing penalties, and for other purposes.

By Mr. Garrett:

H. 932. To amend Section 385 of Title 2 of the Code of Alabama of 1940 relating to livestock dealer's permits.

By Mr. Faulk:

H. 732. Relating to livestock; making it a misdemeanor for any person knowingly or wilfully to sell any hog, pig, or shoat which is infected with hog cholera.

Mr. Wright, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams (Jefferson):

H. 829. To further regulate the practice of Chiropady by making the practice of Chiropady in Commercial place of business unprofessional conduct and providing for the revocation of the license of any Chiropadist found guilty of violating this act.

Mr. Johnson (Chambers), Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time, and placed on the calendar, to-wit:

By Mr. Selden:

H. 157. To amend Section 117 of Title 23 of the Code of Alabama (1940), as amended, which relates to the part of the proceeds of the excise tax on gasoline appropriated to the Alabama Highway Finance Corporation.

By Mr. Selden:

H. 669. Relating to highways; to provide for matching federal aid highway funds, restricting expenditures for state-financed construction.

Mr. Whatley, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Martin:

H. 554. To amend Section 732, Title 37, Code of Alabama (1940), as amended, which relates to the commission of the tax assessor and tax collector for the assessment and collection of municipal taxes.

Mr. Locke (Perry), Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. High:

S. 653. To apply in all counties of this State having a population of not less than 80,000 nor more than 94,000 according to the preliminary

count of the 1950 Federal Census or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to authorize the Plumbers Examining Board to enforce the provisions of this Act; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to define the powers conferred upon and duties imposed upon said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

By Messrs. Pflieger, Gallalee and Wilkins:

H. 974. To impose extra, new and additional duties upon the Circuit Solicitor of the Thirteenth Judicial Circuit; to provide additional compensation for said Solicitor for the performance of said extra, new and additional duties hereby imposed upon him and to provide for the payment of said additional compensation.

By Mr. Edgar (With notice and proof):

H. 1061. To provide further for the registration and payment of claims against the fine and forfeiture fund of Choctaw County which were outstanding on June 9, 1945.

By Messrs. Dumas, Morgan (Jefferson), Huey, Beatty, Adams (Jefferson), Meeks and Kaul:

H. 1110. To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system.

By Messrs. Shelton and Morgan (Tuscaloosa) (With notice and proof):

H. 1111. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, with-drawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of laws in conflict with this act, and to provide when this act shall become effective.

By Messrs. Shelton and Morgan (Tuscaloosa) (With notice and proof):

H. 1112. To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling Liquor, Malt or Brewed Beverages, as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the

corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

By Messrs. Morgan (Tuscaloosa) and Shelton (With notice and proof):  
H. 1113. For the relief of George Aster Scrivner.

By Messrs. Morgan (Tuscaloosa) and Shelton (with notice and proof):  
H. 1114. For the relief of R. E. LeSueur.

By Mr. Pfleger (With notice and proof):  
H. 1115. To amend Section 75 of Title 62 of the Code of Alabama of 1940 relative to the appointment and compensation of a physician as assistant to the coroner of Mobile County, Alabama.

By Mr. Coburn:  
H. 1116. Proposing an amendment to the Constitution of Alabama relating to Colbert County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Plott (With notice and proof):  
H. 1117. To repeal an Act of the Legislature of Alabama, approved July 22, 1949, being House Bill 732, Act No. 274 of the 1949 Acts of the Legislature of Alabama, Pages 400 and 401.

By Mr. Plott (With notice and proof):  
H. 1118. Relating to Chilton County: To establish the Board of Revenue and Control of Chilton County and to abolish the Court of County Commissioners of Chilton County; providing for the composition of the Board and for the selection, term, compensation and bond of its members; prescribing the functions, powers, duties and authority of the Board; providing for the employment by the Board of a Clerk and a County Engineer and prescribing their powers, duties, authority and the amount of their bonds; providing for county purchases and prescribing a procedure therefor; to provide for the setting aside of road funds by the Board and for the expenditure thereof; providing for the establishment of a contingent fund; and prescribing penalties for violations of the Act.

By Mr. McKee (With notice and proof):  
H. 1121. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Linden in Marengo County, Alabama.

By Mr. Bassett (With notice and proof):  
H. 1122. Providing for an election to be held to determine whether or not the boundaries of the City of Troy in Pike County shall be altered, rearranged and extended so as to include within the corporate limits of said City all of Section 4 and the east half of Section 5, Township 9, Range 21, and further providing for the exemption if annexed of farm lands so annexed from City Advalorem Taxation:

Mr. Skidmore, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams (Jefferson):  
H. 56. To amend Section 293, Title 26, Code of Alabama (1940), relating to compensation for medical, surgical, and hospital services under the Workmen's Compensation Act.

Mr. Foster, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same re-



turned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Davis, Grouby, Thomason and Wallace:

H. 481. To propose an amendment to the Constitution of Alabama.

The above Bill was read a second time at length as required by the Constitution.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Thagard:

S. J. R. 91. Relating to the naming of S. B. 349 the Thagard, Thomas, White (Covington), Kendall and Sellers Bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### RESOLUTION

Mr. Quarles offered the following Resolution, to-wit:

S. R. 92. RESOLVED by the Senate as follows:

It is the sense of the Senate of Alabama that the long-standing rules governing our Alabama Democratic Primaries should be left unchanged in 1952, so that an open primary will be assured and voter-sovereignty will be unabridged.

Resolved further: That we respectfully recommend to the members of our State Democratic Executive Committee that the Alabama Democratic Primaries of 1952 be conducted in the usual open manner, in order that complete freedom of choice shall be guaranteed to all members of the Democratic Party of Alabama.

Which was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 14. Requiring the owners of cattle desiring to brand such cattle to register the brands with the Department of Agriculture and Industries and prescribing a fee therefor; making the presence of such registered brands on cattle prima facie evidence of ownership of cattle so branded; to provide for the re-registering and transfer of registered brands; to require the State Department of Agriculture and Industries to furnish copies of registered brands to livestock markets and sheriffs; imposing certain duties relative to the sale and handling of branded cattle upon livestock markets by requiring such markets to keep records of sales, give notice thereof and furnish bills of sale to buyers; to require hide dealers and rendering plants to keep certain records for identification of hides and cattle; to require owners of cattle to give notice of shipment of such cattle to the sheriff of the county or the Department of Agriculture and Industries when cattle are shipped from Alabama; to authorize the Department of Agriculture and Industries to promulgate rules and regulations to carry out the provisions of this Act; to provide that certain vio-

lations of this Act are unlawful and constitute a misdemeanor; and providing the repeal of other laws in conflict herewith and a date upon which this Act shall become effective.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Clayton, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 14, the title of which is set out in the foregoing Message from the House.

### SUBSTITUTE FOR S. B. 14

#### A BILL TO BE ENTITLED AN ACT

Requiring the owners of cattle desiring to brand such cattle to register the brands with the Department of Agriculture and Industries and prescribing a fee therefor; making the presence of such registered brands on cattle evidence of ownership of cattle so branded; to provide for the re-registering and transfer of registered brands; to require the State Department of Agriculture and Industries to furnish copies of registered brands to livestock markets, circuit court clerks, and sheriffs; imposing certain duties relative to the sale and handling of branded cattle upon livestock markets by requiring such markets to keep records of sales, give notice thereof and furnish bills of sale to buyers; to require hide dealers to keep certain records for identification of hides and cattle; to authorize the Department of Agriculture and Industries to promulgate rules and regulations to carry out the provisions of this Act; to provide that certain violations of this Act are unlawful and constitute a misdemeanor; and providing the repeal of other laws in conflict herewith and a date upon which this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. DEFINITIONS.—The following words as used in this Act shall have the meaning as indicated: (a) "Commissioner" shall mean the Commissioner of Agriculture and Industries of the State of Alabama. (b) "Department" means the Department of Agriculture and Industries of the State of Alabama. (c) "Board" means the State Board of Agriculture and Industries of the State of Alabama. "(d) 'Brand' means any recorded identification mark applied to any position on the hide of a live animal by means of heat, acid or chemical, except tattoo marks in the ear or numbers used to keep production records or record of age." (e) "Person" means any individual, partnership, corporation or association. (f) "Livestock Market" means a place where a person assembles livestock for public sale if such person is required to procure a license or permit from the State Department of Agriculture and Industries to operate such market. (g) "Livestock Hide Dealer" means any dealer who buys hides.

Section 2. Any cattle owner who uses a brand to identify his cattle must register his brand by applying to the Department for such registration. The application shall be made on forms prescribed and furnished by the Department, which application shall be accompanied by a fee of Two Dollars (\$2.00) and a facsimile of the brand to be registered shall also be furnished by the applicant. All fees collected hereunder for registration, transfer, and re-registration of brands shall be deposited in the State Treasury to the credit of the Agricultural Fund. If the brand described in the application, or one similar, or closely resembling a registered brand has not been previously registered by another cattle owner,

the Department shall approve the application, register the brand in the name of the applicant and issue to the applicant a certificate of registration. In the event the Department denies registration of a brand for any reason the registration fee of \$2.00 shall be returned to the person making application for registration. When a cattle owner, who has registered a brand with the Department transfers such brand to another, he shall immediately notify the Department of the transfer, giving the date of transfer, and the name of the transferee. Upon receipt of the notice and a transfer fee of \$1.00, the Department shall cause such transfer to be noted in the register of brands, and such brand shall not be used by the new owner until permission has been given by the Department for use of such brand.

Section 3. In all suits at law or in equity, or in any criminal proceedings when the title or right of possession is involved, a copy of the certificate of brand registration verified by affidavit of the Commissioner shall be received in evidence by the court as evidence of the registration of such brand in accordance with the requirements of this Act.

Section 4. There shall be a renewal period for recording brands which shall be once every five years beginning with October 1, 1951, that is to say, all brands recorded on or after October 1, 1951, shall be renewed or re-recorded on or before October 1, 1956, and each five-year period thereafter. At least ninety (90) days prior to the renewal date for all brands, the Department shall notify all persons having brands registered of the date on which such brand must be renewed. On or before the renewal date of all brands the registered owner thereof shall pay to the Department a renewal fee of \$2.00 and shall furnish such additional information as the Department may require on forms to be furnished by the Department. If any cattle owner fails to renew any brand registered in his name, such brand shall be forfeited and shall be available to any other applicant.

Section 5. All cattle owners who have registered brands with the Department during the five-year period prior to the effective date of this Act and pursuant to the provisions of Title 2, Sections 393 and 394, Code of Alabama, 1940, shall not be required to register such brands under the provisions of this Act, and such brands shall remain registered with the Department until October 1, 1956, at which time such brands shall be re-registered or renewed in accordance with the provisions of this Act if the owner thereof continues to use such brand.

Section 6. The Department shall prescribe and furnish forms on which applications for registration, re-registration and transfer of brands shall be made and shall furnish such forms to the sheriff and the county agricultural agent of each county of the State to be distributed on request to cattle owners desiring to make application for registration of brands and such applications may also be furnished to applicants by the Department.

Section 7. The Department shall maintain a complete register of all brands, showing the name and address of the owner, and shall annually publish and distribute copies of this register and supplementary copies thereof to every livestock market and sheriff's office and circuit clerk in the State. Copies of the register of brands may be furnished to other persons requesting such copies, at a price to be determined by the Commissioner with the approval of the Board. Copies of the register of brands shall be published in booklet form. The Department shall also determine from its records of registration the ownership of any estrayed cattle and furnish such information to interested persons, upon receipt of notice giving details of the kind of animal, color, weight, size, sex, age, marks, brands and other identifying information.

Section 8. (a) Every operator of a livestock market where cattle are

sold shall keep a copy of the register of brands in his place of business where it will be easily accessible for public inspection.

(b) The operator of every livestock market where cattle are sold, together with all dealers, slaughterers and butchers buying cattle for slaughter which were not purchased at a livestock market, shall keep a record, for at least two years, covering all cattle received which shall show thereon the name and address of the owner, the number of animals received, and a description of them including a description of any and all brands used to identify the cattle as well as a license number of the truck or the railroad waybill number or record of other method of transportation by which the cattle arrived. These records shall be retained for public inspection for a period of two years after the cattle are received.

(c) Livestock hide dealers are hereby required to keep records which will facilitate the tracing of lost or stolen cattle. Livestock hide dealers shall keep a record of all hides of cattle received by them, which shall include the name and address of the person from whom hides are purchased, a description of the hides, brands and any other identifying information. Livestock hide dealers shall keep such records for a period of two years.

Section 9. The Commissioner, with the approval of the Board shall have authority to promulgate such rules and regulations as are reasonably necessary to carry out the evident intent and purposes of this Act and which will facilitate the tracing and identification of cattle and afford protection against stealing and unlawful dealing in cattle.

Section 10. It shall be unlawful for—

(a) any person to use any brand for branding cattle unless the brand is registered with the Department,

(b) any person to obliterate, alter or deface the brand of any animals,

(c) any livestock market to receive and sell cattle unless records of such sale are kept in accordance with the requirements of this Act,

(d) any livestock market to fail to keep a copy of the register of brands furnished to them by the Department in a place easily accessible to interested parties,

(e) any cattle hide dealer to fail or refuse to keep records required by Section 8 (c) of this Act.

Section 11. Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor. All amounts paid as fines for violations of this Act, when collected by the proper authority shall be transmitted to the Department and deposited in the State Treasury to the credit of the Agricultural Fund.

Section 12. The provisions of this Act are severable. If any section, or part hereof, is declared unconstitutional or invalid, such declaration shall not affect the remainder.

Section 13. All laws, or parts of laws, in conflict herewith and specifically Sections 393 and 394 of Title 2, of the Code of Alabama, 1940, are hereby repealed.

Section 14. This Act shall become effective on October 1, 1951.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Clayton	Hollis	Locke (Perry)
Boutwell	Foster	Jones	Norrell
Byars	High	Locke (Choctaw)	Pinson

Quarles  
Reneau

Robison  
Smith

Sollie  
Todd

Whatley  
Wright

—19

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 204. Requiring that a conventionalized representation of a heart and the words "Alabama, the Heart of Dixie," be imprinted on every license tag or license plate issued by the State of Alabama for use on motor vehicles.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Pinson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 204, the title of which is set out in the foregoing Message from the House:

Amend the Title to S. B. 204 to read as follows: Requiring that a conventionalized representation of a heart and the words "Heart of Dixie", be imprinted on every license tag or license plate issued by the State of Alabama for use on motor vehicles.

### AMENDMENT TO S. B. 204

Amend Section 3 to read as follows:

This Act shall apply to license tags or license plates issued for the fiscal year 1954-55 and each succeeding fiscal year.

Yeas 18; Nays 0.

Yeas:

Messrs.:  
Boutwell  
Clayton  
Fant  
Foster

High  
Hollis  
Jones  
Locke (Choctaw)  
Locke (Perry)

Norrell  
Pinson  
Quarles  
Reneau  
Robison

Sollie  
Todd  
Whatley  
Wright

—18

Nays:

—0

### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills, begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 349. To amend Section 718, Title 7, Code of Alabama (1940), which relates to the costs of publication of legal notices.

Also:

S. 580. Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof;

prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act.

HERBERT B. BYARS,  
Chairman.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

### BILLS ON THIRD READING

#### The Bill:

H. 1063. To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members; to repeal all acts heretofore enacted relative to the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203.

Was read a third time at length and passed.

Yeas 21; Nays 0.

#### Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie
Andrews	McCary	Richardson	Thagard
Benson	Norrell	Robison	Todd
Hollis	Phillips	Skidmore	Whatley
Jones	Pinson	Smith	Wright
Larkins	Quarles		

—21

#### Nays:

—0

#### The Bill:

H. 916. To require the Commissioner of Licenses of Mobile County, Alabama, to compile and maintain an accurate card index file arranged alphabetically in the names of all business, occupation, professionals, fishing and hunting licenses issued by the Commissioner of Licenses of Mobile County, and to maintain such a file for the use and information of the public, and to provide for payment of compensation for such service.

Was read a third time at length and passed.

Yeas 21; Nays 0.

#### Yeas:

Messrs.:	Foster	Larkins	Sollie
Andrews	Golson	McCary	Thagard
Benson	High	Norrell	Todd
Eddins	Hollis	Robison	Whatley
Fant	Johnston (Mobile)	Smith	Wright
Farmer	Jones		

—21

Nays:

—0

The Bill:

H. 1074. To amend Local Act No. 271, Local Acts 1915, page 132, entitled "To divide the County of Chambers into four commissioners districts, and to provide for the election of a commissioner for each district," approved August 27, 1915; and making the Act operative upon its approval by a majority of the voters in Chambers County voting in a referendum.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Johnson (Chambers)	Phillips	
Andrews	Faulkner	Jones	Pinson	
Benson	Foster	Larkins	Reneau	
Clayton	Golson	McCary	Smith	
Eddins	High	Norrell	Sollie	
Fant	Hollis			—21

Nays:

—0

The Bill:

H. 1077. To create and establish in Talladega County, in lieu of the county court and the juvenile court and the inferior court of Talladega County, Alabama, a court with county-wide jurisdiction of criminal cases, civil actions at law, and of juvenile cases, said court to be known as the Intermediate Court of Talladega County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges, commissions collected therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Talladega County and the Inferior Court of Talladega, Alabama; and providing for the transfer and trial of cases pending in the County Court and Juvenile Court of said County and the Inferior Court of Talladega, Alabama, at the time this Act takes effect, to the Intermediate Court of Talladega County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Sollie	
Andrews	Faulkner	Larkins	Thagard	
Benson	Foster	Robison	Todd	
Byars	Golson	Skidmore	Whatley	
Eddins	High	Smith	Wright	
Fant	Hollis			—21

Nays:

—0

The Bill:

H. 1083. To amend Section 546 of Title 62 of the Code of Alabama of 1940 which relates to firemen's pension and relief fund.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Farmer	Reneau	Sollie	
Benson	McCary	Richardson	Thagard	
Byars	Norrell	Robison	Todd	
Clayton	Phillips	Skidmore	Whatley	
Eddins	Pinson	Smith	Wright	
Fant	Quarles			—21

*Nays:*

—0

The Bill:

H. 1084. To amend Section 19 of Act 781, approved September 28, 1915, as said act is amended by Act 131, approved February 17, 1919, which relates to firemen's pension and relief fund.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Larkins	Reneau	Sollie	
Byars	McCary	Richardson	Thagard	
Eddins	Norrell	Robison	Todd	
Fant	Phillips	Skidmore	Whatley	
Farmer	Pinson	Smith	Wright	
Jones	Quarles			—21

*Nays:*

—0

The Bill:

H. 1080. To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Golson	Reneau	Sollie	
Byars	High	Richardson	Thagard	
Clayton	Hollis	Robison	Todd	
Eddins	Jones	Skidmore	Whatley	
Fant	Larkins	Smith	Wright	
Farmer	Quarles			—21

*Nays:*

—0

The Bill:

H. 1086. To amend Section 187 of Title 13 of the Code of Alabama, 1940, as amended, which relates to bailiffs.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Benson	Foster	High
Andrews	Faulkner	Golson	Hollis



Jones	Reneau	Smith	Todd	
Larkins	Richardson	Sollie	Whatley	
Pinson	Robison	Thagard	Wright	
Quarles	Skidmore			—21
<i>Nays:</i>				—0

The Bill:

H. 1087. To validate the payment of certain claims by Russell County, Alabama, or its governing body, for the years 1947 to July 1, 1951, inclusive.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Locke (Perry)	Reneau	Sollie	
Andrews	McCary	Richardson	Thagard	
Benson	Norrell	Robison	Todd	
Fant	Phillips	Skidmore	Whatley	
Farmer	Pinson	Smith	Wright	
Locke (Choclaw)	Quarles			—21

*Nays:* —0

The Bill:

H. 1094. To validate the payment of claims upon the General Fund, the Road and Bridge Fund, Gasoline Tax Fund, Farm to Market Road Fund, of Russell County, Alabama, as shown by their numbers in Section 1 of this Act, running through the Calendar years of 1947 to July 1, 1951, inclusive.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Hollis	Reneau	Sollie	
Farmer	Jones	Richardson	Thagard	
Faulkner	Larkins	Robison	Todd	
Foster	Phillips	Skidmore	Whatley	
Golson	Pinson	Smith	Wright	
High	Quarles			—21

*Nays:* —0

The Bill:

H. 1088. To repeal Section 4 of An Act approved May 28, 1943.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	High	Reneau	Sollie	
Andrews	Hollis	Richardson	Thagard	
Benson	Norrell	Robison	Todd	
Faulkner	Phillips	Skidmore	Whatley	
Foster	Pinson	Smith	Wright	
Golson	Quarles			—21

*Nays:* —0

The Bill:

H. 1089. To validate certain expenditures by the governing body of Russell County, Alabama, for the payment of bond premiums for the Deputy Tax Assessor, Deputy Tax Collector, Deputy Circuit Clerk and Deputy Register, Three Deputy Sheriffs and the Chief Clerk in the office of the Judge of Probate.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Larkins	Sollie	
Andrews	Fant	Locke (Choctaw)	Thagard	
Benson	Farmer	Robison	Todd	
Boutwell	Faulkner	Skidmore	Whatley	
Byars	Foster	Smith	Wright	
Clayton	Jones			—21

Nays:

—0

The Bill:

H. 1090. To amend an Act creating an additional Deputy Sheriff for Russell County, Alabama, by repealing Section 3 thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	High	Sollie	
Andrews	Fant	Locke (Choctaw)	Thagard	
Benson	Farmer	Robison	Todd	
Boutwell	Faulkner	Skidmore	Whatley	
Byars	Foster	Smith	Wright	
Clayton	Golson			—21

Nays:

—0

The Bill:

H. 1091. To validate certain expenditures and payment of claims by the governing body of Russell County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Reneau	Sollie	
Andrews	Fant	Richardson	Thagard	
Benson	Farmer	Robison	Todd	
Boutwell	Locke (Choctaw)	Skidmore	Whatley	
Byars	Pinson	Smith	Wright	
Clayton	Quarles			—21

Nays:

—0

The Bill:

H. 1093. To repeal Section 3 of an Act providing for the placing of the Deputy Tax Collector and Deputy Tax Assessor of Russell County under a bond of \$1,000.00, approved May 20, 1943.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Sollie	
Andrews	Fant	Hollis	Thagard	
Benson	Farmer	Larkins	Todd	
Boutwell	Faulkner	Robison	Whatley	
Byars	Foster	Smith	Wright	
Clayton	Golson			—21

*Nays:*

—0

**The Bill:**

H. 1097. Relating to counties having a population of not less than thirty-eight thousand eight hundred nor more than thirty-nine thousand five hundred inhabitants; creating a School Building Commission in any such county, prescribing its powers, duties, and authority, and providing that such Commission shall have exclusive power to expend funds accruing to the County Board of Education or any other county agency for the construction, equipment, and maintenance of public school buildings.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Sollie	
Andrews	Fant	Hollis	Thagard	
Benson	Farmer	Larkins	Todd	
Boutwell	Faulkner	Robison	Whatley	
Byars	Foster	Smith	Wright	
Clayton	Golson			—21

*Nays:*

—0

**The Bill:**

H. 1099. Relating to Henry County: To authorize the governing body of Henry County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Eddins	High	Sollie	
Andrews	Fant	Hollis	Thagard	
Benson	Farmer	Robison	Todd	
Boutwell	Faulkner	Skidmore	Whatley	
Byars	Foster	Smith	Wright	
Clayton	Golson			—21

*Nays:*

—0

**The Bill:**

H. 1100. Relating to counties having a population of less than thirteen thousand inhabitants; to fix the expense allowance of the county superintendent of education of such counties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Hollis	McCary	
Andrews	Farmer	Johnson (Chambers)	Norrell	
Boutwell	Faulkner	Johnston (Mobile)	Phillips	
Byars	Foster	Jones	Pinson	
Clayton	Golson	Larkins	Quarles	
Eddins	High			—21

Nays: —0

The Bill:

H. 1109. To fix the compensation of certain county officers in counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	High	Reneau	Sollie	
Andrews	Hollis	Richardson	Thagard	
Benson	Norrell	Robison	Todd	
Faulkner	Phillips	Skidmore	Whatley	
Foster	Pinson	Smith	Wright	
Golson	Quarles			—21

Nays: —0

The Bill:

H. 1092. To repeal Section 3 of an Act requiring the Deputy Circuit Clerk of Russell County to enter into bond in the sum of \$5,000, approved May 28, 1943.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie	
Andrews	McCary	Richardson	Thagard	
Benson	Norrell	Robison	Todd	
Jones	Phillips	Skidmore	Whatley	
Larkins	Pinson	Smith	Wright	
Locke (Choctaw)	Quarles			—21

Nays: —0

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Robison, further consideration of the Bill, H. B. 1082, was indefinitely postponed by the Senate.

To the President of the Senate:

To the Speaker of the House:

We, your conference committee, appointed to reconcile the difference between the Senate and House on the House amendment to S. B. 601, beg leave to report as follows:

1. We recommend that the House recede from its amendment to the Bill.

2. That the Bill be amended by amending Section 9 by adding at the end of said Section the following:

"Wherever stated by a licensee rates shall be stated clearly and fully in such manner as the Bureau may require,"

3. Further amend the Bill by inserting the following after the words "Circuit Court of Montgomery County" the words "or the Circuit Court of the County of the residence of the party aggrieved or the Circuit Court of the County wherein the party aggrieved does business"

4. Further amend the Bill by amending Section 11 (a) Subsection 5 to read in words and figures as follows:

"5. Was this loan made less than 24 hours after payment or refinancing of a prior loan? ..... If so give dates of all such prior loans made by the plaintiff to the defendant prior to the date of filing this suit together with the dates of the last payments thereon".

H. B. BYARS,  
J. T. PHILLIPS,  
H. B. LARKINS,

Committee on part of Senate.

E. R. SOLOMON,  
W. H. BEATTY,

Committee on part of House.

### CONFERENCE REPORT

On motion of Mr. Byars, the Senate concurred in and adopted the foregoing majority report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. 601. To amend Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act to regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," as amended.

Yeas 15; Nays 9.

Yeas:

Messrs.:	Clayton	Johnston (Mobile)	Pinson
Benson	Fant	Larkins	Richardson
Boutwell	Farmer	Locke (Choctaw)	Sollie
Byars	Hollis	McCary	Wright

—15

Nays:

Messrs.:	Johnson (Chambers)	Smith	Todd
Andrews	Locke (Perry)	Thagard	Whatley
Bonner	Reneau		

—9

The following minority report of the Committee on Conference was read and ordered spread upon the Journal.

#### MINORITY REPORT OF CONFERENCE COMMITTEE

The undersigned respectfully dissent from the majority report of the Conference Committee and file herewith a minority report.

It is recommended that the House of Representatives and the Senate do both recede from their positions and that they do both adopt the following amendment to Senate Bill No. 601:

Add at the end of paragraph (b) of Section 5, a new paragraph to be designated paragraph 5 (b) (1) reading as follows:

"(b) (1) The Bureau of Loans shall, after a hearing, fix and determine the maximum rate or rates of interest and other charges which any licensee can charge without being subject to the penalties hereinafter in this paragraph provided. When any rate or rates of interest have been so fixed, the Bureau of Loans shall, after a hearing, suspend or revoke the license of any licensee found guilty of charging interest in excess of such rate or rates so fixed. The charging of interest in excess of such rate or rates by any such licensee shall cause both principal and interest on such loan to be forfeited. The rate or rates of interest so fixed by the Bureau of Loans may have different classifications but shall be uniform for all licensees, shall be reasonable for the amount of the loan and the length of time within which it is repayable and shall be such as to allow licensees a reasonable return on their investment in the small loan business but shall not be oppressive to the borrowers."

That Section 5 (d) be amended by inserting after the words "Circuit Court of Montgomery County", the additional words "or the Circuit Court of the county of the residence of the party aggrieved or the Circuit Court of the county wherein the party aggrieved does business."

At the end of Section 9 add the following:

"Whenever rates of interest are stated by a licensee, they shall be stated clearly and fully in such manner as the Bureau of Loans may by regulation require."

At the end of Section 14 add the following:

"The provisions of this Act shall not apply to any person who is not in the business of making loans of money or things in action in the amount of \$300 or less, but who makes not exceeding twenty such loans in each calendar year solely for the accommodation of clients, customers or friends."

Respectfully submitted,

LAURENCE DUMAS,  
Member Conference Committee.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 643. Relating to Franklin County; proposing an amendment to the Constitution of Alabama to authorize the issuance of bonds by the county for the construction of an agricultural building and providing for the construction thereof; and ordering an election on the proposed amendment.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Todd, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 643, the title of which is set out in the foregoing Message from the House.

#### AMENDMENT TO S. B. 643

Strike out the words "any other provisions of this Constitution to the contrary notwithstanding" appearing on lines 12 and 13, page 1, and substitute therefor the following:

"When authorized at an election held for such purpose, in the manner prescribed by Chapter 7, Title 12, Code of Alabama (1940)."

Yeas 25; Nays 0.

Yeas:

Messrs.:	High	Norrell	Smith
Eddins	Hollis	Phillips	Sollie
Fant	Jones	Pinson	Thagard
Farmer	Larkins	Quarles	Todd
Faulkner	Locke (Choctaw)	Reneau	Whitley
Foster	Locke (Perry)	Robison	Wright
Golson	McCary		

—25

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 657. Relating to municipalities having a population of not less than 5,800 nor more than 6,200 inhabitants; to provide for zoning in such municipalities; providing for a zoning commission therein; and providing for its membership, powers, authority, functions and duties.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Todd, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 657, the title of which is set out in the foregoing Message from the House:

#### AMENDMENT TO S. B. 657

Amend Section 2 of S. B. 657 by striking therefrom the word "Governor" wherever it appears therein and inserting in lieu thereof the word "mayor".

Yeas 21; Nays 0.

Yeas:

Messrs.:	Jones	Locke (Perry)	Phillips
Johnson (Chambers)	Larkins	McCary	Pinson
Johnston (Mobile)	Locke (Choctaw)	Norrell	Quarles

Reneau  
Richardson  
Robison

Skidmore  
Smith  
Sollie

Thagard  
Todd

Whatley  
Wright

—21

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 544. To create a State Department of Public Welfare; to provide for a State Board of Public Welfare and to prescribe its powers and duties; to provide for the appointment of a Commissioner, as executive and administrative officer, and other employees; to authorize the allocation of Federal and State funds in a manner to provide equitable treatment of needy individuals in similar circumstances; to prescribe the duties, powers and responsibilities of the Department; to create county departments of public welfare and to describe their duties; to provide for county boards of public welfare and to prescribe their duties; to authorize county and city governing bodies to make other and further provisions for the needy; to define who is entitled to old age assistance, aid to the blind, aid to dependent children, and aid to the permanently and totally disabled; to provide for the method of making application, the determination of eligibility, and the amount of assistance; to authorize payment after death for the month in which the recipient dies; to define the obligations of persons applying for or receiving assistance; to define the rights of persons applying for or receiving assistance to appeal; to authorize state and county departments to subpoena witnesses; to authorize the State Department to develop standards of assistance and to further define the authority of the State Department; to provide penalty for false representation; to exempt assistance grants from taxes, levy, garnishment, or other process; to authorize old age assistance for eligible confederate pensioners; to provide for payments over maximum in which the Federal government will share for hospital care for old age assistance applicants and recipients; to authorize county boards to review public assistance cases; to appropriate surplus and residue from the proceeds of the levy of the one mill tax for the relief of needy confederate soldiers and sailors and their widows; to provide for the severability of the provisions; and to provide for the time the Act shall take effect.

R. T. GOODWYN, JR.,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 668. To provide that no assessment shall be made against any person for sales tax which became due more than three years prior to the date the Department of Revenue commenced an audit of the books of such person to ascertain the amount due, or, if no audit is made, prior to the date the Department mailed written demand therefor.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 694. To authorize a payment by the ABC Board from funds avail-



able to said Board for the relief of Charlie Hamilton of Montgomery, Alabama.

Was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Fant	Norrell	Sollie	
Andrews	Farmer	Reneau	Thagard	
Benson	Hollis	Richardson	Todd	
Clayton	Locke (Choctaw)	Robison	Wright	
Eddins	Locke (Perry)	Smith		—18

Nays:

—0

The Bill:

H. 1078. To amend an Act entitled an Act "To transfer the Juvenile Court of DeKalb County, Alabama from the Probate Court of said county to the DeKalb County Court of said county and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support; to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said county; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court, and to allow the Deputy Solicitor of said county \$50.00 per month additional compensation for his attendance and prosecution in said court." Approved August 16, 1949, Act No. 403, Page 575, 1949, General And Local Acts.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie	
Johnson (Chambers)	McCary	Richardson	Thagard	
Johnston (Mobile)	Norrell	Robison	Todd	
Jones	Phillips	Skidmore	Whatley	
Larkins	Pinson	Smith	Wright	
Locke (Choctaw)	Quarles			—21

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 733. To authorize each of the municipalities in this state to acquire properties suitable for use by any one or a combination of the following: (a) any industry for manufacturing, processing, or assembling any agricultural or manufactured product and (b) any commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining and industry; to authorize municipalities to lease such properties subject to certain specified requirements; to authorize municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; to provide that all such bonds shall be negotiable instruments; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the act; to exempt from taxation such properties

and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Also:

H. 416. To amend Section 831 of Title 51 of the Code of Alabama (1940), as amended, which relates to the procurement and form of licenses to engage in any business or do any act for which a license is required by law.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 111. To amend Section 814 of Title 7 of the Code of Alabama of 1940 (Relating to judgments of affirmance on appeals.)

Also:

H. 231. To provide a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee; and to provide a supplement to the retirement benefits of certain state employees who are now or will be retired by the Board of Trustees of the Employees' Retirement System under provisions of Act 515, approved July 9, 1945; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act number 607 approved October 9, 1947 which provides a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945.

Also:

H. 546. To create a state public welfare trust fund, defining the receipts of the fund and providing for disbursements from the fund.

Also:

H. 547. To amend Title 51, Section 784, Code of Alabama, 1940, as amended, which relates to the disposition of the revenues from the sales tax.

Also:

H. 734. To amend Section 3 and 4 of Act 515, General Acts 1945, approved July 9, 1945.

Also:

H. 1072. Relating to the registration and purgation of voters in counties having a population of 400,000 or more according to the 1940 or any succeeding decennial Federal Census; providing for the selection and compensation of the chairman of the Board of Registrars; providing for meeting days of the Board of Registrars for the registration and purgation of voters; conferring power on the Board of Registrars to establish, alter and consolidate election districts and precincts and designate voting places and to manage and control its office, to employ clerks and personnel subject to the provisions of any Merit or Civil Service System Act having application in such county, and to be the appointing authority of all of its employees subject to the provisions of any such Merit or Civil Service System Act, and to divest the governing body of such county and the Judge of Probate of such county of all such powers, functions and duties; and providing that this Act shall supersede all laws and parts of laws in so far as such counties are concerned.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 475. To eliminate the reckless and irresponsible driver of motor vehicles from the highways of the State of Alabama; to provide for the giving of security and proof of financial responsibility by owners and operators of motor vehicles; to define words and phrases in said Act; to provide for the administration and enforcement of said Act by the Director of Public Safety of the State of Alabama and to prescribe his powers and duties; to provide for an operating record; to provide for appeals from his orders and decisions; to provide for the making of reports following a motor vehicle accident, and giving of security in case of a motor vehicle accident involving property damage in excess of \$50.00 or personal injuries to, or death of any person; to provide for certain exceptions where evidence of existing insurance is furnished; to provide certain further exceptions to requirements of the Act; to provide for the suspension of licenses and registration of motor vehicles, and duration thereof; to provide that the Act shall apply to non-residents, unlicensed drivers and unregistered motor vehicles and shall apply in certain instances to accidents in other states; to provide the form and amount of security; to provide for the custody, disposition and return of security; to provide matters not to be evidence in civil suits; to provide for reports on the non-payment of judgments; to provide for the suspension of licenses and registration for non-payment of judgments; to provide for the suspension until judgment paid or until proof given; to provide for the

payment of judgments by installments; to provide for the proof required to be furnished upon certain convictions; to provide alternative methods of giving proof of financial responsibility, including a certificate of any insurance carrier that has in effect a motor vehicle liability policy; to provide certificates furnished by non-residents, owners of motor vehicles in the state; to define a motor vehicle liability policy; to provide for cancellation or termination of policies, and that this act shall not affect other policies; to provide for bond for proof of financial responsibility, amount of security, where deposited and type of security; to provide for money or securities as proof of financial responsibility; to prohibit a transfer of registration to defeat purposes of Act; to provide penalties for the violation of the provisions of this Act; to provide for surrender of licenses and registration; to provide for self-insurers; to provide Act not to apply to any motor vehicle owned by the United States, State of Alabama, or any political subdivision of this State, or any municipality; to provide that certain provisions of Act not to apply to certain motor vehicles subject to supervision and regulation of the Alabama Public Service Commission; to provide certain powers and duties of the Superintendent of Insurance with respect to approval of plans for equitable apportionment among insurance companies of applicants for insurance who cannot obtain insurance by ordinary methods, and provide for appeals to the courts from decisions of said Superintendent of Insurance respecting such plans; to provide that this Act shall not prevent use of other process; to provide for uniformity of interpretation; to provide that if part of Act be held unconstitutional it shall not affect remaining parts of Act; to provide that this Act may be cited as the Motor Vehicle Safety-Responsibility Act; to authorize the Director of Public Safety, subject to provision of the Merit System, to appoint employees necessary to discharge the duties imposed by this Act; to declare that this Act is supplemental to the State Motor Vehicle Laws; to repeal Act No. 276, approved August 6, 1947, Acts 1947, Page 121, known as the Alabama Motor Vehicle Responsibility Act; to appropriate the sum of \$100,000.00 or so much thereof as may be necessary for the purposes set forth in this Act; to provide the effective date of this Act and a repeal of all acts and parts of acts in conflict herewith.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

Amend Section 24 of House Bill No. 475 by inserting the words "the date upon" after the words "such copy" and before the words "which such," where the same appear in Line 20 of said Section 24.

Amend Section 36 of House Bill No. 475 by inserting the following language at the end of said Section 36: "All laws and parts of laws in conflict herewith are to the extent of any such conflict hereby repealed".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	High	McCary	Skidmore
Byars	Hollis	Norrell	Smith
Eddins	Johnson (Chambers)	Pinson	Thagard
Fant	Jones	Reneau	Todd
Farmer	Larkins	Richardson	Whatley
Faulkner	Locke (Choctaw)	Robison	Wright
Foster			

—24

Nays:

—0

Mr. Reneau then offered the following amendment to the Bill, as amended, to-wit:

#### AMENDMENT TO H. B. 475

Strike out the second sentence of Section 4 and insert in lieu thereof the following:

Such report, the form of which shall be prescribed by the Director, shall contain only such information as may be necessary to enable the Director to determine whether the requirements for the deposit of security under Section 5 are inapplicable by reason of the existence of insurance or other exceptions specified in this Act.

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Farmer	Locke (Choctaw)	Robison
Benson	Faulkner	McCary	Skidmore
Bonner	Foster	Norrell	Smith
Byars	High	Pinson	Thagard
Clayton	Hollis	Reneau	Whatley
Eddins	Jones	Richardson	Wright
Fant	Larkins		

—25

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 2.

*Yeas:*

Messrs.:	Faulkner	Larkins	Robison
Andrews	Foster	Locke (Perry)	Smith
Boutwell	High	McCary	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Quarles	Whatley
Fant	Johnston (Mobile)	Reneau	Wright
Farmer	Jones	Richardson	

—26

*Nays:* Messrs.: Golson and Locke (Choctaw)

—2

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 479. TO amend the caption and Sections 3, 5, 6, 12, and 14 of the Farm to Market Road Act of 1943 (Act No. 329 adopted at the 1943 Regular Session of the Legislature), as heretofore amended, so as to eliminate all provisions pertaining to or restricting the source of the funds from which any county pays its share of the cost of constructing county roads under said act as amended; so as to eliminate all provisions therein respecting the setting aside by resolution of county funds from a specified source for the purposes of the said act, as amended; so as to provide that any anticipation of moneys for the purposes of said act, as amended, shall be governed by the applicable general law; so as to eliminate the provision permitting a county to contribute more than one-half the cost of constructing county roads under said act, as amended; so as to provide that the cost of constructing county roads under contracts hereafter made pursuant to said act, as amended, shall be computed on a negotiated

unit price basis; so as to provide that counties may advance the share or contribution to be paid from the State County Aid Fund for any such road and may anticipate such contribution to the extent permitted by law; and so as to include provisions respecting the effect of non-performance by any county of an agreement for maintenance of roads constructed under said act, as amended.

Also:

S. 480. To authorize any county which has entered into a contract with the State Highway Department, pursuant to the provisions of the Farm to Market Road Act of 1943, as heretofore or hereafter amended, to anticipate by the sale and issuance of its interest bearing warrants the receipt of any moneys to be paid to such county under such contract; to provide that such warrants shall be payable solely from the moneys received by the county pursuant to such contract and, if the county so elects, also out of all or any part of such county's share of the state gasoline tax allocated to such county under Section 655 and Section 657, as amended, of Title 51 of the Code of Alabama of 1940; to provide that any two or more such contracts between a county and the State Highway Department may be treated as a unit for the purpose of the issuance of such warrants; to authorize the pledge, transfer and assignment for the benefit of such warrants of the moneys out of which they are payable; to provide that such warrants shall be issued only with the consent of the Director of the State Highway Department and that such consent shall be conclusive evidence of the validity of the contract or contracts with respect to which the consent is given and of compliance by the county with all conditions precedent to the payment of the state's contribution under such contract, except completion of any road construction at the time uncompleted; and to provide the purposes for which the proceeds from such warrants may be used.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 666. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of 400,000 or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

S. 315. To authorize the State of Alabama to appropriate and pay to S. H. Park of Brewton, Alabama the sum of \$623.62 to reimburse the said S. H. Park for hospital and doctors' bills and medicine bills and ambulance service and nurses' services on account of injuries sustained in falling off a bridge being reconstructed on State Highway 20 at the Cahaba River on October 23, 1950, while in line of his duty as an employee of the State Highway Department.

Also:

S. 651. To make an additional appropriation to the State Board of Education for the physical restoration of crippled children.

Also:

S. 555. To authorize the State Board of Agriculture and Industries to expend any funds in the State Markets Fund of the Agricultural Fund, not exceeding \$75,000.00 for the purpose of equipping, enlarging and expanding buildings or other facilities constructed by the State Markets Board and providing that no amounts shall be expended hereunder until all amounts required to be repaid to the General Fund of the State Treasury pursuant to Act No. 687 of the Legislature of 1947, shall have been repaid.

Also:

S. 91. To permit the deduction by individual income tax payers, in computing net income for income tax purposes, of certain non-trade or non-business expenses.

S. 60. To provide the manner in which state-owned textbooks shall be purchased.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 652. To provide additional compensation for certain county officers in counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

Also:

S. 654. Relating to the Sixth Judicial Circuit of Alabama; prescribing the method of striking juries in civil and criminal cases; repealing conflicting laws.

Also:

S. 319. To amend Section 257 of Title 13 of the 1940 Code of Alabama, as amended.

Also:

S. 659. To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

Also:

S. 660. To amend Section 19 of Act 781, approved September 28, 1915, as said act is amended by Act 131, approved February 17, 1919, which relates to firemen's pension and relief fund.

Also:

S. 661. To amend Section 546 of Title 62 of the Code of Alabama of 1940 which relates to firemen's pension and relief funds.

Also:

S. 662. To provide for and prescribe the form of government for all cities of Alabama having a population of not less than 75,000 nor more

than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census.

Also:

S. 670. To provide that in all counties having a population of not less than 13,500 nor more than 15,500, the Board of County Commissioners, Board of Revenue, or other like governing boards may designate one or more State or National Banks as the County Depository.

Also:

S. 514. Relating to executive committees of political parties; amending Section 341, Title 17, Code of Alabama (1940).

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 78. For the relief of Claude M. Finley.

Also:

S. 93. To amend Section 150 of Title 7 of the 1940 Code of Alabama.

Also:

S. 534. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics, agriculture, and medical technology.

Also:

S. 394. For the relief of Walter Dewey Martin of Tuscaloosa County.

Also:

S. 415. To provide for ownership and supervision of swamp and overflowed lands and swamp and overflowed indemnity lands. To provide for disposition of revenue derived from the sale or utilization of said lands.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 23. To amend Title 51, Section 410, Code of Alabama 1940, to provide for the General Revenue; and to further provide that applications for refund where income taxes have been paid through mistake or error shall be made within three years from date of payment, to apply to payments made on or after January 1, 1951; and to also amend Title 51, Section 412, Code of Alabama 1940, to provide for the General Revenue; and to provide that the amount of income taxes imposed by this Title shall



be assessed within three years after the return was filed; and by providing that the State Department of Revenue may assess and institute proceedings for the collection of the income taxes so imposed, at any time within five years from the date of the filing of an income tax return with the State of Alabama if the taxpayer has omitted from the gross income, as defined in Section 384 of said Title, an amount in excess of twenty-five per centum (25%) of the amount of gross income as reported in said return, to apply to income tax returns for the taxable years beginning on or after January 1, 1951; and to provide that this Act shall become effective January 1, 1951 for the taxable years beginning on or after January 1, 1951.

Also:

S. 334. To define the words, term and phrase "truck trailer and semi-trailer" when used in Article 10 of Title 51 of the Code of Alabama of 1940, as last amended, relating to the sales tax.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 476. Proposing an amendment to the Constitution of Alabama: to prohibit the Legislature and every county from increasing the salary, fees or compensation of any officer of the State or of any county, who is elected or appointed for a fixed term, during the term for which he is elected or appointed.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 476, the title of which is set out in the foregoing Message from the House:

#### SUBSTITUTE FOR S. B. 476

#### A BILL TO BE ENTITLED AN ACT

Proposing an amendment to the Constitution of Alabama: to prohibit the Legislature and every county of the State from increasing or decreasing the salary, fees or compensation of any officer of the State or of any county of the State, who is elected or appointed for a fixed term, during the term for which he is elected or appointed, except as herein provided.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

## AMENDMENT

"Any provisions of this Constitution or amendments thereto to the contrary notwithstanding, neither the Legislature nor any county of the State shall, by the imposition of new, different, and additional duties or otherwise, increase, or authorize the increase of, the salary, fees or other compensation of any officer of the State or of any county of the State, who is elected or appointed for a fixed term, during the term for which he is elected or appointed, regardless of whether such officer may be removed at the pleasure of the authority electing or appointing him or only upon impeachment; nor shall the Legislature or any county of the State in any manner or by any means decrease, or authorize the decrease of, the salary, fees or other compensation of any such officer, during the term for which he is elected or appointed; nor shall the Legislature or any county of the State increase or decrease, or authorize the increase or decrease of, the salary, fees or other compensation of any person filling an unexpired term in any such office during the remainder of such term, either before or after the appointment or election of such person to fill the unexpired term. As to officers who are members of any court, board, commission, or similar body whose terms do not run concurrently, any increase or decrease in the salary, fees, or other compensation of the members of any such court, board, commission, or similar body shall become effective as to all such members thereof immediately after the expiration of the term or terms of office of the member or members whose term or terms first expire."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday in May, 1952. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Faulkner	Larkins	Reneau	
Andrews	Foster	Locke (Choctaw)	Richardson	
Benson	High	McCary	Robison	
Boutwell	Hollis	Norrell	Smith	
Clayton	Johnson (Chambers)	Phillips	Thagard	
Fant	Johnston (Mobile)	Pinson	Whatley	
Farmer	Jones			—25

## Nays:

—0

## RESOLUTION

Mr. Whatley offered the following Senate Joint Resolution, to-wit:

S. J. R. 93. Be it resolved by the Senate, the House of Representatives concurring, that S. B. 668 which has passed both Houses be known and be designated as the "Reneau-Miller Bill".

And on motion of Mr. Whatley, the Rules were suspended and the Resolution, S. J. R. 93, was adopted by the Senate.

Mr. Johnson (Chambers) offered the following Senate Joint Resolution, to-wit:

S. J. R. 94. Be it resolved by the Senate, the House of Representatives concurring, that Senate Bill 60 which has passed both Houses be known and be designated as the "Reneau-Adams (Tallapoosa) Bill".

And on motion of Mr. Johnson (Chambers), the Rules were suspended and the Resolution, S. J. R. 94, was adopted by the Senate.

Mr. Robison offered the following Senate Joint Resolution, to-wit:

S. J. R. 95. Be it resolved by the Senate the House concurring that S. B. 78 which has passed both Houses of the Legislature be known as the Robison, Dawkins, Hall, Sellers, Tennille Bill.

And on motion of Mr. Robison, the Rules were suspended and the Resolution, S. J. R. 95, was adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills:

S. 158. To amend Section 91 of Title 8, Code of Alabama (1940), which relates to licenses to capture and kill fur-bearing animals.

Also:

S. 616. To provide for the establishment and administration of Retirement Systems for county employees in counties having a population of 400,000 or more according to the last or any future federal census, and for the payment of benefits to the employees of such counties.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Faulkner, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 158, the title of which is set out in the foregoing Message from the House:

#### SUBSTITUTE FOR S. B. 158

#### A BILL TO BE ENTITLED AN ACT

To amend Section 91 of Title 8, Code of Alabama 1940, which relates to licenses to capture and kill fur-bearing animals.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 91 of Title 8, Code of Alabama 1940, is amended to read as follows:

"It shall be unlawful for any person, firm or corporation to take, capture or kill by any means or device any of the fur-bearing animals protected by the laws of this State, without first procuring a license therefor to be issued in the same manner as is provided for hunting and fishing licenses and after paying therefor the sum of two and one-half dollars, which license when issued shall be good only during the season when fur-bearing animals may be legally taken. In addition to the license provided in this section, the holder thereof shall be required to procure from the probate judges or other persons authorized to issue hunting licenses stamps or tags to be furnished by the director to those

issuing hunting, fishing and fur licenses, which stamp or tag shall be securely attached to each fur, skin or pelt sold or offered for sale. Said stamp or tag shall be issued upon the payment of the following fees: O'possum, one cent; civit cat, two cents; grey fox, three cents; red fox, four cents; weasel, five cents; raccoon, six cents; skunk, seven cents; muskrat, eight cents; mink, twenty cents; otter, ninety cents; beaver, one dollar; and bear, two dollars. A violation of the provisions of this section or failure of full compliance therewith shall constitute a misdemeanor and upon conviction the person, firm or corporation violating same or failing to comply therewith shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars for each offense."

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 20; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Jones	Reneau	
Benson	Foster	Locke (Choctaw)	Richardson	
Boutwell	High	Locke (Perry)	Robison	
Clayton	Hollis	Phillips	Smith	
Fant	Johnson (Chambers)	Pinson	Wright	
Farmer				—20

*Nays:*

—0

On motion of Mr. Boutwell, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 616, the title of which is set out in the foregoing Message from the House:

#### SUBSTITUTE FOR SENATE BILL NO. 616

##### A BILL TO BE ENTITLED AN ACT

To provide for the establishment and administration of Retirement Systems for county employees in counties having a population of 400,000 or more according to the last or any future federal census, and for the payment of benefits to the employees of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. DEFINITIONS: In this Act words used in the masculine gender shall include the feminine and neuter genders and words used in the neuter gender shall include the masculine and feminine genders. The following words, terms, and phrases, wherever used in this Act, shall have the meanings respectively ascribed to them in this Section unless the context plainly indicates a contrary meaning. (a) "Retirement System," or "The Retirement System," the employees' retirement system of a county establishing such a system hereunder. (b) "Board" or "The Board", the Pension Board provided for in this Act to administer the retirement system. (c) "County," the county establishing a retirement system hereunder. (d) "Employee," any person employed by the county at a monthly wage or salary payable at regular intervals, other than (1) officials elected by the people, or (2) persons holding jobs or positions in the unclassified service as defined by any civil service or merit system law from time to time governing the employees of such county; provided, however, that any member of the system who is transferred from the

classified service to the unclassified service other than to an elective office, shall be deemed an employee during his tenure in the unclassified service. In the event of a question arising as to the right of any person in the service of the county to be classified as an employee under this Act, the decision of the Board shall be final. (e) "Member," any person who becomes and is a member of the retirement system as provided in this Act. (f) "Creditable Service," service as an employee during which time he shall have made contributions hereunder and same shall have been matched by the county and for which time he has not accepted a refund of contributions made by him; also additionally, service as an employee of the county prior to the time the retirement system becomes operative therein, but not in excess of twenty years; also additionally, service as an employee of the License Inspector prior to the time the retirement system becomes operative in a county, not exceeding twenty years; whether such service was under the state of Alabama or under the county; provided, however, that in all counties that heretofore established a retirement system under the provisions of that certain act of the legislature, No. 328 approved July 6, 1945. The members thereof who elect to become members of the retirement system hereby established shall be entitled to creditable service earned or accrued to such member under said prior system, if said member deposits in the present system an amount equal to the total contributions made by such member to the prior retirement system. Creditable service for service rendered prior to the time a retirement system become operative in a county shall not accrue to any person who is not an employee of such county at the time the retirement system becomes operative therein. Creditable service shall include also additionally, the time of any duly authorized military leave of absence of any employee for which time the county shall have paid into the fund an amount equal to twice the contributions which the employee would have made if he had not been absent on such leave and if his wage or salary had continued to be the same as he was earning at the time of the commencement of his leave. (g) "Final Average Monthly Compensation," the average of the monthly compensation paid to the employee by the county during the last sixty months of creditable service.

Section 2. "Retirement Systems in Populous Counties": In each county having a population of 400,000 or more according to the last or any future federal census, a retirement system shall be established and maintained for the benefit of the employees of such county. Whereas, in the only county in this state which now has a population of 400,000 or more according to the last federal census, there formerly existed a retirement system for the employees of such county, under and by virtue of that certain act of the legislature, No. 328, approved July 6, 1945, entitled "An Act to provide for the establishment and administration of Retirement Systems for county employees in counties having a population of 400,000 or more according to the last or any future federal census, and for the payment of benefits to the employees of such counties," it is hereby enacted that the former members of said system desiring to become members of the retirement system hereby created shall file with the board on or before thirty days after the effective date of this act on a blank provided for that purpose an election to become a member and at the same time shall pay into the retirement fund an amount equal to the contributions theretofore paid by such members to the retirement fund created by said Act No. 328 of July 6, 1945, thereby establishing said members prior accrued creditable service in the new system. The secretary shall give notice in writing to each person who was a member of said prior system of his or her rights to become a member hereof. Provided, however, that any employee who is a member of the Armed Forces of the United States on active duty upon the establishment of the system shall be entitled to make the election hereinabove provided for within thirty (30) days after his return to service with the county, provided such employee returns to service with the county within ninety (90) days

from the date of his separation from the Armed Forces. In counties which may hereinafter attain a population of 400,000 or more, according to the federal census, the date of the establishment of the retirement system in such counties shall be the January first after such counties attain such population. The retirement system of any county shall have the powers and privileges of a corporation and shall be known as the "Employees' Retirement System" of the county in which established and by such name it may sue and be sued, and in such name all of its business shall be transacted, all its funds invested, and all its cash and securities and other property held in trust for the purpose for which received.

Section 3. (a) "PRESENT EMPLOYEES": Any person who is an employee on the date of establishment of the retirement system shall, except as hereinafter provided, be eligible for membership and may become a member as of such date if, within a period of thirty (30) days thereafter he files with the Board on a blank provided by the Board for that purpose, an election to become a member; (b) "Members of Former Retirement Systems": All employees who have become members of a retirement system under said Act No. 328 of July 6, 1945, who shall elect to become members of the system hereby created, as hereinabove set out, shall retain their prior eligibility and creditable service by contributing to the new fund an amount equal to their prior contributions to the prior fund. (c) "Future Employees": Any person who becomes an employee after the date of the establishment of the retirement under the present Act, shall become a member as a condition of his employment, except that in the only county that now has attained a population of 400,000, future employees therein shall not be permitted to become members under the present act. Taking priority over all that is enacted above: A person whose employment is authorized for not more than three months shall not be required to participate in the retirement system. (d) "Report of County Officials": It shall be the duty of the county personnel board, or if there be none, the head of each agency of the county government employing persons who are members or are entitled to become members, to submit to the Board such statements as the Board shall require as to the name, title, compensation, duties, date of birth, and length of service of each such person employed by such agency.

Section 4. "DETERMINING SERVICE CREDITS": The Board shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to one year of service, but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall the Board allow credit as service for any period of more than one-half month's duration during which the employee was absent without pay. As early as practicable after the establishment of the retirement system, the Board shall determine the amount of service credit accrued to each member of the system by reason of service rendered the county prior to the establishment of the system and shall notify each member entitled to any such credit of its findings in writing. If the employee does not agree with the findings of the Board, he shall have the right, upon written application filed with the Secretary of the Board within thirty days after receipt of such notice to appear before the Board and submit evidence relating to his service record. In all such cases the records of the county personnel board, or if there be none, the records of employment of the agency or agencies of the county government employing such person shall be deemed, prima facie, to speak the truth. The decision of the Board shall be final.

Section 5. "ADMINISTRATION." (a) "Pension Board": The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of this Act are hereby vested in a Pension Board which shall be organized immediately upon the passage of this Act in every county coming under its provisions. (b) "Membership": The membership of the Board shall consist

of three members designated respectively as Member Number One, Member Number Two and Member Number Three. (1) Member Number One: A person to be appointed by the Probate Judge of such County who shall have had more than ten years experience in an executive capacity in insurance or actuarial work and who shall be chairman of the Board and who shall serve for a term of three years. (a) Member Number Two: To be appointed by the County Commission or governing body of such county who shall be a person who shall have had at least ten years experience in an executive capacity in investment or banking business. The initial term of Member Number Two shall expire at the end of two years. Following the completion of the initial term, the term of Member Number Two shall be for three years. (3) Member Number Three: The First Member Number Three shall be appointed by the Governor and shall serve for a period of one year. Following the completion of the initial term, Member Number Three shall be elected at the annual meeting of the members of the retirement system, and such election in every instance shall be by secret ballot and under the supervision of three members of said system acting as an election board. (c) "Vacancy—How Filled": If a vacancy occurs in the office of a board member, such a vacancy shall be filled for the unexpired term in the same manner as the office was previously filled. (d) "Quorum; Voting": Two members of said Board shall constitute a quorum for the transaction of all business. Each member shall be entitled to one vote on each question and two votes shall be necessary for a decision by the Board. (e) "Rules and Regulations": Subject to the limitations of this Act, the Board shall from time to time, establish rules and regulations for the administration of the funds created by this Act and for the transaction of its business. (f) "Secretary and Board Member Expense": The Secretary of the Board shall be the Director of Personnel of such county or a person in his office designated by him; if there be no Director of Personnel in such county, the Secretary shall be appointed by the Board and shall be an employee of such county and both he and the members of the Board shall serve without pay. Members of the Board and its Secretary shall be reimbursed for expenses actually paid or incurred in the discharge of their official duties and shall suffer no loss of salary or wages, if the county be his or their employer, through service on said Board or as Secretary thereof. (g) "Reports": The Board shall cause a record of all its proceedings to be kept by its Secretary which shall be open to public inspection. It shall publish an annual report showing the fiscal transactions of the retirement system for the preceding year, the amount of the accumulated cash and a description of the securities of the system, and the latest balance sheet showing the assets and liabilities of the retirement system. The Board shall cause an audit to be made of its affairs by a certified public accountant at least once each year and such auditor's report shall be published with the Board's annual report. (h) "Legal Advisor": The County Attorney shall be the Legal Advisor of the Board, but if there be no County Attorney, the Circuit Solicitor shall serve as legal advisor to the Board. (i) "Medical Advisor": The Board shall designate some physician not eligible to participate in the retirement system as its medical advisor. If required, other physicians may be employed to report on special cases. The Medical Advisor shall arrange for and pass upon all medical examinations required by the retirement system, shall investigate all essential statements and certificates by or in behalf of a member in connection with an application for disability benefits, and shall report in writing to the Board his conclusions and recommendations upon all matters referred to him. He shall receive such compensation for his services as the Board shall approve. (j) "Periodic Valuations": As soon as practicable after the establishment of the retirement system and at least once in each five-year period thereafter, and also immediately after each change in the percentages to be contributed by the employees and County by reason of the increase or decrease in rates to be paid by each as provided in Section 8 (c) of this Act, the Board shall

cause an actuarial investigation and analysis to be made of the assets and liabilities of the retirement system by an actuary who is a member of the American Institute of Actuaries or the Actuaries Society of America, and the Board shall require said actuary, taking into account the results of said investigation and analysis to certify whether or not the rates of benefits established herein or from time to time established by the Board are actuarially feasible and adequate in view of the funds available, and if he finds said benefits are not feasible or adequate, he shall certify what benefits he finds are actuarially feasible and adequate, and the Board shall thereupon conform the benefits herein provided to said report by horizontally raising or lowering the schedule of such benefits so that said fund shall be kept solvent. (k) "Annual Meeting": The members of the retirement system shall meet at least once each year at such time and place as the Board shall by its rules and regulations determine. Written notice of this meeting shall be given by personally delivering or mailing a copy to the member's place of work or last known place of abode. (l) "Oaths of office": Each member of the Board and the Secretary and Treasurer shall before taking his office, take the oath of office required of county Officers.

Section 6. "TREASURER OF FUND": The County Treasurer, or officer of the county whose duties are those of treasurer, or custodian of the county funds, shall be Treasurer of the retirement system and his general bond to the county shall cover all liability for his acts as Treasurer of such funds. All monies of said retirement system received by him shall be set aside by the Treasurer in a separate fund. He shall pay out said funds only on warrants issued by the Pension Board and signed by at least two of its members or by one of its members and its Secretary.

Section 7. "INVESTMENT OF FUNDS": The Pension Board shall invest the funds of the retirement system not currently needed, in bonds of the United States Government, or general obligation bonds of the State of Alabama, or general obligation bonds or warrants of the county or in Federal Savings & Loan Associations, or in other corporations having Federal Savings & Loan Associations' guarantee, but shall not invest more than \$10,000 in any one such association or corporation.

Section 8. "METHOD OF FINANCING": (a) "Salary Deductions": Every member of the retirement system shall pay into the retirement fund five and one-half (5½) per cent of his monthly wage or salary paid to him by the county, but if such wage or salary exceeds Three Hundred Dollars (\$300.00) per month, then only five and one-half (5½%) per cent of the First Three Hundred Dollars (\$300.00) thereof. The county governing body is hereby directed to cause such deductions to be made each payroll to the Treasurer of the retirement system for the aggregate amount so deducted from the salaries covered by said payrolls. All such payments for salary deductions shall be deposited in the retirement fund herein created. (b) "County Contributions": (1) Each payroll period an amount equivalent to that deducted from the employees' salaries shall be contributed by the county and shall be paid into the retirement fund by the county governing body out of the general fund of such county. Out of the sum remaining of the contributions and funds heretofore paid by any county to a retirement fund under said Act No. 328 of July 6, 1945, it is hereby required to be paid to the system created by this act, within sixty days after the effective date hereof, an amount equal to the sum of the total employee contributions which were made to the said prior system either by each employee or by the county in behalf of such employee and subsequently deposited in this system. The receivers of any retirement system for the employees of the county created under and by virtue of that certain act of the Legislature, No. 328, approved July 6, 1945, "To provide for the establishment and administration of Retirement Systems for county employees in counties having a population of 400,000



or more according to the last or any future federal census, and for the payment of benefits to the employees of such counties," are hereby directed to pay into the retirement fund established by this Act within sixty (60) days after the effective date of this Act the sum of \$125,000. The County Commission, Board of Revenue, or other governing body of any such county shall cause to be paid into the retirement fund created by this Act the sum of \$125,000, payable at the rate of \$12,500 per year on the 15th day of November in each such year. (2) If any member, either before or after the effective date of this Act and after October 16, 1940, shall have left the service of the county for the purpose of entering the Armed Forces of the United States, and shall have been granted a military leave of absence for such purpose under the laws, rules and regulations governing the employees of the county, and shall not have been dishonorably discharged from such Armed Forces and shall have been reinstated to the service of the county within ninety days after his separation from such Armed Forces, then the county shall promptly pay into the fund an amount equal to twice the contributions which the employee would have made if he had not been absent on such leave and if his wages or salary had continued to be the same as he was earning at the time of the commencement of his leave, provided, however, that no part of such payment by the county shall be refundable to the employee under any provision herein for return of employees' contributions. Provided, however, that an employee who is entitled to the twenty-one days' leave with pay under the Military Code of Alabama shall elect in writing within thirty days of his reinstatement to the service of the county his decision as to taking such twenty-one days' leave with pay or the pension contribution provided in this sub-section, and in the event such an employee elects to take such twenty-one days' leave with pay, he shall not be entitled to the benefits of this sub-section. (c) In the event the percentage of monthly wage now deducted from employees earnings and remitted by the county to the Federal government as Social Security payments be hereafter increased or decreased then the percentage of any such increase shall be deducted from the 5½% of employees' salary deduction and County contribution to the retirement fund, and any decrease shall be added to the 5½% of employee's salary deduction and County contribution to said retirement fund made under provision of this section, it being the purpose and intent of this Act that the total of deductions from employees' earnings and that the total of the percentage of county contribution for social security benefits and for payments into the retirement fund authorized by this Act shall remain constant at 7% of employees' wage and 7% of each payroll subject to deduction limited as provided for in (a) above.

Section 9. "RETIREMENT FOR SUPERANNUATION": (a) Requirements": Whenever any person who is a member of the retirement system on the effective date of this Act, or any person who is an employee of the county on the effective date of this Act and who later becomes a member of the system, has made contributions to the system for a period of not less than five years and has in addition thereto ten years' creditable service and has attained the age of sixty years, he shall be eligible for retirement for superannuation but such retirement shall not be compulsory. Any person who becomes an employee of the county and a member of the retirement system subsequent to the effective date of this Act, shall be eligible for retirement for superannuation when he has made contribution to the system for a period of not less than fifteen years and has attained the age of sixty years, but such retirement shall not be compulsory. Provided, however, that any person who became a member of any former retirement system prior to July 3, 1951, as a county employee, and who has been in the employment of the county for a period of not less than five years and has attained the age of sixty years, shall be eligible for retirement for superannuation in the event such member shall have made the required contributions to the fund for a period of not less than five years. Any member shall be eligible for retirement

for superannuation upon the completion of thirty or more years of creditable service; provided, however, that if at the time of retirement such member has not attained the age of sixty years, the amount of his monthly pension, computed in accordance with the appropriate one of the formulas set forth in sub-sections (1) and (2) of sub-section (b) hereof, shall be reduced in the manner hereinafter provided in sub-section 3 hereof. Any member who becomes a member of the system subsequent to the passage of this Act and who has attained the age of seventy years, shall be retired by the Board if such person is eligible for retirement under the terms of this Act, but if not eligible when he has attained the age of seventy years, he shall be retired as soon as he becomes eligible; provided, however, the Board may waive this requirement indefinitely upon a written recommendation that such requirement be waived from the appointing authority under whom such member is employed. Any member who is eligible for retirement, and who desires to retire, shall be granted upon a written application by himself or, in the event he is mentally or physically incapacitated, by someone acting in his behalf, such application to be filed in the office of the Board. (b) "Benefits": Upon retirement, if such member is then age sixty or has previously attained his sixtieth birthday, he shall receive a monthly pension for the remainder of his life to be determined by the appropriate one of the following formulas: (1) If such member were an employee of the county on the date of the establishment of the system, one-half of one percent of his monthly rate of compensation on the date of the establishment of the system, multiplied by the number of years of his creditable service which had accrued on the date of the establishment of this system as may not exceed twenty years, provided, however, that in all counties that heretofore established a retirement system under Act No. 328, July 6, 1945, the members thereof who elect to become members of the retirement system hereby established shall be entitled to creditable service earned and accrued to such member under said prior system, including that creditable service accrued on the date of the establishment of said prior system, only if said member deposits in the present fund an amount equal to the total contributions made by such member to the prior fund, plus one and three-fourths per cent of his final average monthly compensation multiplied by such number of years, including fractional parts thereof, of his creditable service which shall have accrued subsequent to the date of the establishment of this system and as may not exceed twenty, plus one per cent of his final average monthly compensation multiplied by such number of years, including fractional parts thereof of his creditable service, which shall have accrued subsequent to the date of the establishment of the system as may exceed twenty. (2) If such member became an employee of the county subsequent to the date of the establishment of the system, one and three-quarters per cent (1¾%) of his final average monthly compensation multiplied by such number of years, including fractional parts thereof, of his creditable service as may not exceed twenty, plus one per cent (1%) of his final average monthly compensation multiplied by such number of years, including fractional parts thereof, of his creditable service as may exceed twenty. No part of any monthly compensation in excess of Three Hundred Dollars (300.00) shall be included in determining the final average monthly compensation. In computing the amount of benefits under either of the foregoing formulas, the Board may disregard a fractional part of a year of creditable service less than one-twelfth. (3) If such member shall have completed at least thirty years of creditable service prior to retirement but shall not have attained his sixtieth birthday on or before his date of retirement, he shall receive a monthly pension payable for the remainder of his life to be determined by multiplying the monthly pension determined in accordance with the appropriate formula set forth in either Sub-section (1) or (2) of Sub-section (b) hereof, by the percentage factor shown in the following schedule corresponding to the age of such member on his last birthday preceding the date of retirement.

Age of Member on Last Birthday Preceding Re- tirement	Reduced Pension on Account of Retirement Before Age 60 Ex- pressed as a Percentage of the Pension Which would have been Payable at Date of Retirement If the Member Were Then Age 60.
59	93%
58	87
57	82
56	77
55	72
54	68
53	64
52	60
51	57
50	54
49	51
48	48

Section 10. "DISABILITY ALLOWANCES": (a) "Non-service Connected": Any member who, after having accumulated ten or more years of creditable service subsequent to the date of the establishment of the system, shall become so disabled, either mentally or physically, for any cause except as hereinafter provided, that in the opinion of the Board and the Medical Advisor he is incapacitated for further performance of his duties, shall during the continuance of such disability be entitled to receive monthly disability benefits to be determined by the appropriate formula as provided under Section 9 above, such formula to be applied as though the disabled employee were entitled to retirement for superannuation at the commencement of the disability, such benefits to begin sixty days after the commencement of such disability except that if he is entitled to sick leave with pay under the laws, rules and regulations governing county employees which would extend his regular pay to a time beyond the expiration of said sixty-day period, such benefits shall not begin until the exhaustion of such sick leave with pay. No disability allowance shall be made if a venereal disease or the use of intoxicating liquor or liquors or narcotic drug or drugs or wilful misconduct of the disabled person be the cause or substantially contribute to the disability or if the cause of disability be voluntarily and wilfully brought about by the disabled person. (b) "Service Connected": Any member who shall become so disabled that in the opinion of the Board and the Medical Advisor he is incapacitated for further performance of his duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and not due to his intoxication or wilful misconduct, shall be entitled to receive monthly disability benefits during the continuance of such disability to be determined by the following formula, such benefits to begin at the expiration of any leave with pay which may be allowed the employee as a result of such injury; One and three-quarters per cent (1 $\frac{3}{4}$ %) of his salary or wage at the commencement of the disability multiplied by such number of years, including fractional parts thereof, of his creditable service which shall have accrued subsequent to the date of the establishment of the system and as may not exceed twenty; provided, however, in determining the number of years of creditable service accrued subsequent to the date of the establishment of this system, those prior years of creditable service, during which a member made contributions to such prior system, which total sum of such prior contributions have been deposited in this system, shall be added, in computing said monthly disability benefits, plus one per cent (1%) of his salary or wages at the commencement of the disability multiplied by such number of

years, including fractional parts thereof, of his creditable service which shall have accrued subsequent to the date of the establishment of the system and as may exceed twenty. If the rate of a disability benefit computed according to the foregoing formula amounts to more than thirty per cent (30%) of salary, the member's final average compensation shall be used as a factor in computing the rate of the benefit instead of the member's salary or wage at the commencement of disability; provided, however, that no benefit for total disability arising under this subsection shall be at the rate of less than thirty per cent of the member's salary or wage at the commencement of disability. (c) "Partial Disability": In cases of partial disability arising under either (a) or (b) of this Section, the Board and the Medical Advisor shall determine the percentage of disability suffered and the member shall be entitled to that proportion of the amount payable to him if totally disabled which his percentage of disability is of total disability.

Section 11. "TERMINATION OF SERVICE": "Withdrawal of Funds": Whenever any member of the retirement system, before becoming eligible for retirement for superannuation, shall cease to be a county employee for any reason other than death or retirement for disability, he shall be paid upon application therefor the full amount of his deposits and contributions deducted from his salary without interest less one-half of any disability benefits paid to him hereunder. If the Board finds that the employment of an employee was terminated by resignation or discharge or otherwise as a consequence of his dishonesty in handling the monies or property of the county or any department thereof, the employee shall not be entitled to any retirement or disability benefits under this Act, but he shall upon application therefor be paid the full amount of contributions deducted from his salary less any benefits previously paid him. The amount contributed by the county to match the employee's contributions shall remain in the fund.

Section 12. "DEATH OF MEMBERS": Whenever a member of the retirement system shall die without having received in pension payments and/or disability benefits an amount equal to the total amount of his deposits and accumulated deductions from his salary, the full amount of said deposits and accumulated deductions, without interest, less such pension payments and/or disability benefits, if any, as may have been paid to such member, shall be paid in one lump sum to the beneficiary or beneficiaries designated by such member, or, if none, to the surviving spouse, or, if none, to the legal representative of such member.

Section 13. "RE-EXAMINATION OF DISABLED MEMBERS": The Board may require any member retired for disability to submit to a medical examination by the Medical Advisor or any other physician appointed by the Board. Should any such member refuse to undergo such medical examination, his allowance may be discontinued until he consents to the examination. If the Board should in any case discontinue an allowance to any member by reason of his failure to consent to and allow such examination, the said member, although otherwise entitled thereto, shall wholly lose such allowance (only the allowance between the date of his refusal or failure to allow the examination and the date of examination thereafter made) thus discontinued for his failure to consent to and allow said examination. Should the Medical Advisor or physician conducting such examination report to the Board that such disability beneficiary is able to resume his usual occupation, the Board shall make no additional payments for disability to said member on said claim, as and for disability on and after the date of such examination, and such member shall be restored to his former position, if there then be such position in the service of the county, otherwise, he shall be placed upon the appropriate lay-off list of the county if there be such and upon being so re-employed, he shall immediately resume monthly payroll contributions.

Section 14. "DONATIONS, ETC.": The Pension Board is hereby authorized and empowered to credit to the fund any monies received in the form of donations, gifts, appropriations, bequests or otherwise, or derived therefrom, and every member of said retirement system who shall fail to make application for the amount of his accumulated deductions within five years after his separation from the service of the county, except as otherwise herein provided, shall be deemed to have donated the same to the fund.

Section 15. "EMPLOYMENT OF PENSIONED MEMBERS": Whenever any retired member of the retirement system accepts employment in any other branch of public service his benefits under the provisions of this Act shall be reduced by the amount so received as compensation as a result of such employment.

Section 16. "FUNDS EXEMPT": No assets of the fund whether in cash, securities or otherwise, nor any income or yield thereof, shall be subject to, or exacted on account of, any tax. No retirement or disability allowance or right to return of contributions, or other benefits payable under this Act, shall be assignable or be subject to execution, levy, attachment, garnishment or other legal process except for obligations to the county or to the Board or fund.

Section 17. "SEVERABILITY": If, for any reason, any clause, sentence, sub-section, or section, or provision of this Act, or the application thereof, to any person, body, situation or circumstance is held invalid or inoperative, the remainder of the Act and the application thereof to any other person, body, situation or circumstance shall not be affected thereby.

Section 18. "EXPENSE": All payments of benefits, costs of administration and other expenses arising hereunder shall be paid out of the fund created hereunder and not otherwise.

Section 19. No provision hereof shall be construed to bestow upon any member or any other person any vested right to benefits, return of contributions or any other valuable interests hereunder. No implied contract for benefits shall be held to arise hereunder, either before or after retirement. Any provisions hereof may be changed by subsequent legislation without regard to accrued rights.

Section 20. In counties having a personnel director, all records of compensation and service of the members and clerical work of keeping the records and making the disbursements hereunder shall be kept and done by such director.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie
Andrews	McCary	Richardson	Thagard
Benson	Norrell	Robison	Todd
Boutwell	Phillips	Skidmore	Whately
Byars	Pinson	Smith	Wright
Locke (Choctaw)	Quarles		

—21

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Grouby and Davis:

HOUSE JOINT RESOLUTION NO. 134. Be it resolved by the Legislature of Alabama, both Houses thereof concurring, That the members of this body do hereby extend their congratulations and thanks to the Capitol Press Corps for the fair and impartial manner in which the actions, activities and accomplishments of the Legislature have been reported during this session.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Johnston (Mobile), the Rules were suspended and the Resolution, H. J. R. 134, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Harrison (Shelby):

H. J. R. 132. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Doorkeepers of the two Houses and the Secretary of State be and they are hereby relieved of the responsibility for the Codes and Acts and Journals furnished the members of the Legislature.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Clayton, the Rules were suspended and the Resolution, H. J. R. 132, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Adams (Tallapoosa):

H. J. R. 133. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that House Bill No. 283, which has passed both Houses be known as the Adams (Tallapoosa), Johnson, J. T., Reneau, Johnson, J. W., and Wallace Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

Mr. Reneau offered the following amendment to the Resolution, H. J. R. 133, which is set out in the foregoing Message from the House, to-wit:

Amend H. J. R. 133 by striking out the name "Wallace" where it appears therein and inserting in lieu therefor the name "Whatley".

Which was adopted.

And said Resolution, as thus amended, was then adopted by the Senate.

Your Committee of Conference appointed to compose the differences between the two Houses relative to S. J. R. 88 beg leave to report and recommend that the House recede from its amendment of said S. J. R. 88; that the last paragraph of said S. J. R. 88 be amended by inserting the words "as set out above" between the word "Committee" and the word "shall" appearing on line 2; and that said S. J. R. 88 as thus amended be adopted.

Respectfully submitted,

JOE FOSTER,

SAM HIGH,

W. AMOS JONES,

Conferees on the part of the Senate.

THOMAS E. HUEY, SR.,

WILLIAM F. BAKER,

J. P. SHELTON,

Conferees on the part of the House.

### CONFERENCE REPORT

On motion of Mr. Foster, the Senate concurred in and adopted the foregoing Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Resolution:

S. J. R. 88. Relative to appointing a joint legislative committee to investigate and inquire into the administration and operation of Bryce Hospital and Partlow State School, and report its recommendations to the next session of the Legislature.

Yeas 25; Nays 0.

#### Yeas:

Messrs.:	Faulkner	Jones	Reneau
Andrews	Foster	Locke (Choctaw)	Richardson
Benson	Golson	Locke (Perry)	Robison
Byars	High	McCary	Skidmore
Clayton	Hollis	Norrell	Sollie
Fant	Johnson (Chambers)	Phillips	Thagard
Farmer	Johnston (Mobile)		

—25

#### Nays:

—0

And the President and Presiding Officer of the Senate appointed Messrs. Jones and Foster as Senate members on said Committee.

### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Boutwell, further consideration of the Bill, H. B. 1102, was indefinitely postponed by the Senate.

### BILLS ON THIRD READING RESUMED

#### The Bill:

H. 1101. To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie
Boutwell	McCary	Richardson	Thagard
Johnston (Mobile)	Norrell	Robison	Todd
Jones	Phillips	Skidmore	Whatley
Larkins	Pinson	Smith	Wright
Locke (Choctaw)	Quarles		

—21

Nays:

—0

The Bill:

H. 1103. To provide for and fix the salaries of members of the Commission or Board of Commissioners (Including the President of such Commission or Board) of each City in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding Federal Census, and to fix the time and regulate the mode of payment of such salaries.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie
Andrews	McCary	Richardson	Thagard
Benson	Norrell	Robison	Todd
Boutwell	Phillips	Skidmore	Whatley
Larkins	Pinson	Smith	Wright
Locke (Choctaw)	Quarles		

—21

Nays:

—0

The Bill:

H. 140. To provide that in all counties having a population of not less than 75,000 nor more than 130,000 according to the preliminary count of 1950 Federal Census or according to any future regular decennial Federal Census, every voter should be entitled to absent himself from any services or employment in which he is then engaged for two consecutive hours between the time of opening and the time of closing the polls without being liable for any penalty except for wages or compensation actually lost; and to provide that each employer shall have the right to schedule such time as such employee absent himself.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

#### SENATE JUDICIARY COMMITTEE AMENDMENT TO H. B. 140

Amend H. B. 140 by striking Section 1 therefrom and further by striking the word "such" from the first line of Section 2 and renumbering Section 2 "Section 1" and inserting after the word "counties" in said first line the following: "having a population of not less than 75,000 nor more than 130,000 according to the preliminary count of the 1950 Federal Census or any future regular decennial Federal Census" and renumbering Section 3 "Section 2" and Section 4 "Section 3".

Which was adopted.

Yeas 21; Nays 0.



Yeas:

Messrs.:	Johnson (Chambers)	McCary	Reneau	
Faulkner	Johnston (Mobile)	Norrell	Richardson	
Foster	Jones	Phillips	Robison	
Golson	Larkins	Pinson	Skidmore	
High	Locke (Choctaw)	Quarles	Wright	
Hollis	Locke (Perry)			—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Johnson (Chambers)	McCary	Reneau	
Faulkner	Johnston (Mobile)	Norrell	Richardson	
Foster	Jones	Phillips	Robison	
Golson	Larkins	Pinson	Skidmore	
High	Locke (Choctaw)	Quarles	Wright	
Hollis	Locke (Perry)			—21

Nays: —0

The Bill:

H. 1108. To alter, rearrange and increase the boundaries of the City of Bessemer, Jefferson County, Alabama, to provide for elections to submit to the qualified voters of the territory or territories to be annexed to said City of Bessemer for their approval or rejection of such alterations and extension.

was taken up.

Mr. Boutwell offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO HOUSE BILL NUMBER 1108

House Bill Number 1108 is hereby amended by striking out the words and figures of the detailed description of Parcel Number 1 and Parcel Number 2 where the same appears in Section 1 and substituting in lieu thereof, the following detailed descriptions of Parcel Number 1 and Parcel Number 2:

#### PARCEL NUMBER 1

Begin at Northeast corner of Southeast Quarter, Section 17, Township 19 South, Range 4 West, run thence South along East line of said Southeast Quarter to Northwest right-of-way boundary of Bessemer to Tuscaloosa Highway for point of beginning; continue along said East line to Southeast right-of-way boundary of said Bessemer to Tuscaloosa Highway, run thence in a Southwesterly direction along said Southeast right-of-way boundary as it meanders and as it now runs to its intersection with South line of Northwest Quarter of Northeast Quarter, Section 20, Township 19 South, Range 4 West, turn right and run thence West along said South line and continue West along South line of Northeast Quarter of Northwest Quarter to Southwest Corner of said Northeast Quarter of Northwest Quarter, turn right and run North along West line of said Northeast Quarter of Northwest Quarter and continue North along West line of Southeast Quarter of Southwest Quarter, Section 17, Township 19 South, Range 4 West, to Northwest corner of said Southeast Quarter of Southwest Quarter, turn right and run thence East along North line of said Southeast Quarter of Southwest Quarter a distance of

671.98 feet more or less to center line of Glenn Road (according to Survey of Thomas Acres, as recorded in Map Book 6, Page 27, Judge of Probate Office, Bessemer, Jefferson County, Alabama), turn right and run thence South along said center line of said Glenn Road, continuing along said course if projected to its intersection with North right of way boundary, or with its westerly projection, of Alley behind Blocks 4, 5, 6, and 7 of Glenn Hills Subdivision (as recorded in Map Book 3, Page 36, Judge of Probate Office, Bessemer, Jefferson County, Alabama), turn left and run East along said projection or said right-of-way boundary of alley to aforesaid Northwest right-of-way boundary of Bessemer to Tuscaloosa Highway, turn left and run along said Northwest right-of-way boundary of highway a distance of 231 feet more or less to the South corner of C. V. Self property, turn left and run along Southwest boundary of said property in a Northwesterly direction a distance of 217.8 feet more or less to West corner of said property, turn right and run in a Northeasterly direction a distance of 100 feet more or less to North corner of said property, turn right and run in a Southeasterly direction a distance of 217.8 feet more or less to East corner of said property, being a point on aforesaid Northwest right-of-way boundary of Bessemer to Tuscaloosa Highway, turn left and run along said Northwest right-of-way boundary of highway as it meanders and as it now runs to point of beginning; being in South half Section 17, Township 19 South, Range 4 West, and North Half of North Half, Section 20, Township 19 South, Range 4 West, situated in Jefferson County, Alabama.

#### PARCEL NUMBER 2

Begin at Southeast corner of Southeast Quarter of Northeast Quarter, Section 17, Township 19 South, Range 4 West, the point of beginning, run thence West along South boundary of said Southeast Quarter of Northeast Quarter to Southwest corner of said Southeast Quarter of Northeast Quarter, turn right and run North along West boundary of said Southeast Quarter of Northeast Quarter, continue along said course along West boundary of Northeast Quarter of Northeast Quarter, to Northwest corner of said Northeast Quarter of Northeast Quarter, which corner being the Southeast corner of Southwest Quarter of Southeast Quarter, Section 8, Township 19 South, Range 4 West, run West along South boundary of said Southwest Quarter of Southeast Quarter to Southwest corner of Southwest Quarter of Southeast Quarter, run thence North along West boundary of said Southwest Quarter of Southeast Quarter, continuing along said course to West boundary of Northwest Quarter of Southeast Quarter, a total distance of 1807 feet more or less to South right-of-way boundary of Bessemer to Adger Road, turn right an angle of 116 degrees 01 minutes along said South right-of-way boundary a distance of 204 feet, turn right an angle of 8 degrees 15 minutes a distance of 1117.24 feet to point of curve whose delta is 34 degrees 30 minutes left and radius 344.7 feet, run along its arc a distance of 207.56 feet, thence along tangent to said curve 15.50 feet, to West boundary of West Lake Land Company property, turn right an angle of 59 degrees 36 minutes along said property line a distance of 657.4 feet, turn right an angle of 20 degrees 22 minutes a distance of 941 feet, turn left an angle of 23 degrees 29 minutes a distance of 1110 feet more or less to South boundary of Northeast Quarter of Northeast Quarter, Section 17, Township 19 South, Range 4 West, turn left along said South boundary of Northeast Quarter of Northeast Quarter a distance of 147 feet more or less to South east corner of said Northeast Quarter of Northeast Quarter, which corner being Northeast corner of Southeast Quarter of Northeast Quarter, run thence South along East Boundary of said Southeast Quarter of Northeast Quarter to point of beginning; being in Northeast Quarter of Northeast Quarter and in Southeast Quarter of Northeast Quarter, Section 17, Township 19 South, Range 4 West, and in Southeast Quarter, Section 8, Township 19 South, Range 4 West, situated in Jefferson County, Alabama.

Which was adopted.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Locke (Perry)	Reneau	Sollie	
Boutwell	McCary	Richardson	Thagard	
Johnston (Mobile)	Norrell	Robison	Todd	
Jones	Phillips	Skidmore	Whatley	
Larkins	Pinson	Smith	Wright	
Locke (Choctaw)	Quarles			—21

**Nays:**

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Locke (Perry)	Reneau	Sollie	
Boutwell	McCary	Richardson	Thagard	
Johnston (Mobile)	Norrell	Robison	Todd	
Jones	Phillips	Skidmore	Whatley	
Larkins	Pinson	Smith	Wright	
Locke (Choctaw)	Quarles			—21

**Nays:**

—0

### RESOLUTION

Mr. Andrews offered the following Senate Joint Resolution, to-wit:

S. J. R. 96. Resolved by the Senate the House concurring, that House Bill 733, which has passed both houses of the Legislature, be named the Wallace, Harrison (Shelby), Hawkins (Etowah), Fite (Marion), Andrews, Thagard, Robison bill.

And on motion of Mr. Andrews the Rules were suspended and the Resolution, S. J. R. 96, was adopted by the Senate.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 317. To prescribe procedures for State of Alabama administrative agencies to follow in the exercise of rule, order, and decision-making authority, to provide for the judicial review of such administrative actions, and to repeal all laws and parts of laws in conflict herewith.

was taken up.

Mr. Thagard offered the following amendment to the Bill, to-wit:

### AMENDMENT TO HOUSE BILL 317

Amend House Bill 317 in the following manners:

(1) By adding the following sentence to subsection (A), Section 5, to-wit:

"This subsection shall not apply to cases involving the payment of unemployment compensation benefits under the State Unemployment Compensation Law."

(2) By striking the words "court reporter" wherever the same appear in subsection (C) of Section 5, and subsection (B) of Section 6, and inserting in lieu thereof the words "stenographic reporter".

Mr. Hollis moved that further consideration of the Bill and pending amendment be indefinitely postponed by the Senate.

Mr. Thagard moved that the motion to indefinitely postpone be laid on the table, and the motion to table was lost.

Yeas 11; Nays 18.

*Yeas:*

Messrs.:	Johnson (Chambers)	Reneau	Sollie
Bonner	Johnston (Mobile)	Richardson	Thagard
Boutwell	Locke (Perry)	Robison	Whatley

—11

*Nays:*

Messrs.:	Eddins	Jones	Skidmore
Andrews	Fant	Larkins	Smith
Benson	Faulkner	Locke (Choctaw)	Todd
Byars	Foster	Norrell	Wright
Clayton	Hollis	Pinson	

—18

The question recurred on the motion of Mr. Hollis and further consideration of the Bill and pending amendment was indefinitely postponed by the Senate.

Yeas 19; Nays 13.

*Yeas:*

Messrs.:	Eddins	Jones	Pinson
Andrews	Fant	Larkins	Skidmore
Benson	Faulkner	Locke (Choctaw)	Smith
Byars	Foster	Norrell	Todd
Clayton	Hollis	Phillips	Wright

—19

*Nays:*

Messrs.:	Johnson (Chambers)	Reneau	Sollie
Bonner	Johnston (Mobile)	Richardson	Thagard
Boutwell	Locke (Perry)	Robison	Whatley
Golson	Quarles		

—13

**The Bill:**

H. 1104. To authorize the Board of Education of each city having a population of 250,000 or more according to the 1940 or any succeeding decennial Federal census to allow vacation leaves to clerical and maintenance employees at any time during the year.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Locke (Perry)	Reneau	Sollie
Boutwell	McCary	Richardson	Thagard
Johnston (Mobile)	Norrell	Robison	Todd
Jones	Phillips	Skidmore	Whatley
Larkins	Pinson	Smith	Wright
Locke (Choctaw)	Quarles		

—21

Nays:

—0

The Bill:

H. 1105. To authorize the Board or Boards of Education in each county having a population of 400,000 or more according to the 1940 or any succeeding decennial Federal census to allow vacation leaves to clerical and maintenance employees at any time during the year.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie
Boutwell	McCary	Richardson	Thagard
Faulkner	Norrell	Robison	Todd
Foster	Phillips	Skidmore	Whatley
Golson	Pinson	Smith	Wright
Locke (Choctaw)	Quarles		

—21

Nays:

—0

The Bill:

H. 1106. Relating to counties having a population of four hundred thousand or more inhabitants; to authorize the assessment of motor vehicles for ad valorem taxation to be commenced on September 15 of each year.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie
Boutwell	McCary	Richardson	Thagard
Johnston (Mobile)	Norrell	Robison	Todd
Jones	Phillips	Skidmore	Whatley
Larkins	Pinson	Smith	Wright
Locke (Choctaw)	Quarles		

—21

Nays:

—0

The Bill:

H. 48. To create a State Bureau of Publicity and Information, transferring to it the functions, funds, jurisdiction, authority, personnel, property and effects of the Division of Records and Reports, providing for the appointment of a Director of Publicity and an advisory board, abolishing the office of Director of the Division of Records and Reports, conferring exclusive power upon the Bureau to plan and conduct all state programs of tourist advertising, and making an appropriation for that purpose.

Was read a third time at length and passed.

Yeas 21; Nays 6.

Yeas:

Messrs.:	Farmer	Pinson	Smith
Andrews	Faulkner	Quarles	Thagard
Benson	Johnston (Mobile)	Reneau	Todd
Boutwell	Jones	Robison	Whatley
Byars	Larkins	Skidmore	Wright
Fant	Phillips		

—21

Nays:

Messrs.:  
Bonner

Golson  
Johnson (Chambers)

Locke (Choctaw)  
Locke (Perry)

Richardson

—6

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the majority report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

By Mr. Byars:

S. 601. To amend Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act To regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," as amended.

and said bill, together with the Majority Report and Minority Report, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 544. To create a State Department of Public Welfare; to provide for a State Board of Public Welfare and to prescribe its powers and duties; to provide for the appointment of a Commissioner, as executive and administrative officer, and other employees; to authorize the allocation of Federal and State funds in a manner to provide equitable treatment of needy individuals in similar circumstances; to prescribe the duties, powers and responsibilities of the Department; to create county departments of public welfare and to describe their duties; to provide for county boards of public welfare and to prescribe their duties; to authorize county and city governing bodies to make other and further provisions for the needy; to define who is entitled to old age assistance, aid to the blind, aid to dependent children, and aid to the permanently and totally disabled; to provide for the method of making application, the determination of eligibility, and the amount of assistance; to authorize payment after death for the month in which the recipient dies; to define the obligations of persons applying for or receiving assistance; to define the rights of persons applying for or receiving assistance to appeal; to authorize state and county departments to subpoena witnesses; to authorize the State Department to develop standards of assistance and to further define the authority of the State Department; to provide penalty for false representation; to exempt assistance grants from taxes, levy, garnishment, or other process; to authorize old age assistance for eligible confederate pensioners; to provide for payments over maximum in which the Federal government will share for hospital care for old age assistance applicants and recipients; to authorize county boards to review public

assistance cases; to appropriate surplus and residue from the proceeds of the levy of the one mill tax for the relief of needy confederate soldiers and sailors and their widows; to provide for the severability of the provisions; and to provide for the time the Act shall take effect.

Also:

H. 916. To require the Commissioner of Licenses of Mobile County, Alabama, to compile and maintain an accurate card index file arranged alphabetically in the names of all business, occupation, professionals, fishing and hunting licenses issued by the Commissioner of Licenses of Mobile County, and to maintain such a file for the use and information of the public, and to provide for payment of compensation for such service.

Also:

H. 1063. To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members; to repeal all acts heretofore enacted relative to the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203.

Also:

H. 1074. To amend Local Act No. 271, Local Acts 1915, page 132, entitled "To divide the County of Chambers into four commissioner districts, and to provide for the election of a commissioner for each district," approved August 27, 1915; and making the Act operative upon its approval by a majority of the voters of Chambers County voting in a referendum.

Also:

H. 1077. To create and establish in Talladega County, in lieu of the county court and the juvenile court and the inferior court of Talladega County, Alabama, a court with county-wide jurisdiction of criminal cases, civil actions at law, and of juvenile cases, said court to be known as the Intermediate Court of Talladega County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and for the return of warrants there-to including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges, commissions collected therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Talladega County and the Inferior Court of Talladega, Alabama; and providing for the transfer and trial of cases pending in the County Court and Juvenile Court of said County and the Inferior Court of Talladega, Alabama, at the time this Act takes effect, to the Intermediate Court of Talladega County, Alabama.

Also:

H. 1080. To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

Also:

H. 1083. To amend Section 546 of Title 62 of the Code of Alabama of 1940 which relates to firemen's pension and relief fund.

Also:

H. 1084. To amend Section 19 of Act 781, approved September 28, 1915, as said act is amended by Act 131, approved February 17, 1919, which relates to firemen's pension and relief fund.

Also:

H. 1086. To amend Section 187 of Title 13 of the Code of Alabama, 1940, as amended, which relates to bailiffs.

Also:

H. 1087. To validate the payment of certain claims by Russell County, Alabama, or its governing body, for the years 1947 to July 1, 1951, inclusive.

Also:

H. 1088. To repeal Section 4 of an Act approved May 28, 1943.

Also:

H. 1089. To Validate certain expenditures by the governing body of Russell County, Alabama, for the payment of bond premiums for the Deputy Tax Assessor, Deputy Tax Collector, Deputy Circuit Clerk and Deputy Register, Three Deputy Sheriffs and the Chief Clerk in the office of the Judge of Probate.

Also:

H. 1090. To amend an Act creating an additional Deputy Sheriff for Russell County, Alabama, by repealing Section 3 thereof.

Also:

H. 1091. To validate certain expenditures and payment of claims by the governing body of Russell County, Alabama.

Also:

H. 1092. To repeal Section 3 of an Act requiring the Deputy Circuit Clerk of Russell County to enter into bond in the sum of \$5,000, approved May 28, 1943.

Also:

H. 1093. To repeal Section 3 of an Act providing for the placing of the Deputy Tax Collector and Deputy Tax Assessor of Russell County under a bond of \$1,000.00, approved May 20, 1943.

Also:

H. 1094. To validate the payment of claims upon the General Fund, the Road and Bridge Fund, Gasoline Tax Fund, Farm to Market Road Fund, of Russell County, Alabama, as shown by their numbers in Section 1 of this Act, running through the Calendar years of 1947 to July 1, 1951, inclusive.

Also:

H. 1097. Relating to counties having a population of not less than thirty-eight thousand eight hundred nor more than thirty-nine thousand five hundred inhabitants; creating a School Building Commission in any such county, prescribing its powers, duties, and authority, and providing that such Commission shall have exclusive power to expend funds accruing to the County Board of Education or any other county agency for the construction, equipment, and maintenance of public school buildings.

Also:



H. 1099. Relating to Henry County: To authorize the governing body of Henry County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the county.

Also:

H. 1100. Relating to counties having a population of less than thirteen thousand inhabitants; to fix the expense allowance of the county superintendent of education of such counties.

Also:

H. 1109. To fix the compensation of certain county officers in counties having a population of not less than ninety-three thousand nine hundred nor more than one hundred thirty-seven thousand inhabitants and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 694. To authorize a payment by the ABC Board from funds available to said Board for the relief of Charlie Hamilton of Montgomery, Alabama.

Also:

H. 1078. To amend An Act entitled An Act "To transfer the Juvenile Court of DeKalb County, Alabama from the Probate Court of said county to the DeKalb County Court of said county and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support; to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said county; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court, and to allow the Deputy Solicitor of said county \$50.00 per month additional compensation for his attendance and prosecution in said court." Approved August 16, 1949, Act No. 403, Page 575, 1949, General And Local Acts.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

## RESOLUTION

Mr. Andrews offered the following Senate Joint Resolution, to-wit:

S. J. R. 97. Resolved by the Senate, the House concurring, that Senate Bill 125, which has passed both houses of the Legislature, be named the Andrews-Fite (Marion) - Wallace bill.

And on motion of Mr. Andrews, the Rules were suspended and the Resolution, S. J. R. 97, was adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 190. To amend Title 51, Section 424 of the Code of Alabama 1940 which relates to cost of collection expense.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Wright, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 190, the title of which is set out in the foregoing Message from the House:

## SUBSTITUTE FOR SENATE BILL 190

A BILL  
TO BE ENTITLED  
AN ACT

To amend Title 51, Section 424 of the Code of Alabama 1940 which relates to cost of collection expense.

Be It Enacted by the Legislature of Alabama:

Section 1. That Title 51, Section 424 of the Code of Alabama of 1940 be, and the same is hereby amended to read as follows:

"Section 424. Appropriation.—There is hereby appropriated out of the proceeds of the income tax levied and collected under the provisions of this chapter to the property tax relief fund such an amount as may be necessary for the replacement of any revenues lost by reason of the exemption of homesteads from all State ad valorem taxes as provided for in this Title, after provisions has been made for the payment of any and all expenses incurred by the Department of Revenue in the Administration of this chapter and in the collection of the taxes as provided herein. Provided, however, the amount of such expenses, including salary, travel, equipment and all items of cost necessary for the enforcement of the provisions of this chapter shall be limited to the amount appropriated therefor by the Legislature in the general appropriation bill and shall be budgeted, allotted and expended pursuant to the provisions of Title 55, Chapter 4, Article 3 of the Code of Alabama of 1940. The Comptroller, with the approval of the Governor, is hereby directed to transfer out of the proceeds of the income tax levied and collected under the provisions of this chapter, after payment of the expenses in the administration of this chapter as provided herein, to the property tax relief fund such amount as may be necessary for the replacement of any revenues lost by exemption of homesteads from all State ad valorem taxes as is provided

for in this title, and the residue shall be placed in the State treasury to the credit of the Alabama Special Educational Trust Fund to be used for the payment of public school teachers' salaries only."

Section 2. That this Act shall become effective October 1, 1951.

Yeas 23; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Locke ( <i>Choctaw</i> )	Richardson
Andrews	High	Locke ( <i>Perry</i> )	Robison
Byars	Hollis	Norrell	Sollie
Clayton	Johnson ( <i>Chambers</i> )	Pinson	Thagard
Fant	Johnston ( <i>Mobile</i> )	Quarles	Todd
Farmer	Jones	Reneau	Wright

—23

*Nays:*

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 475. To eliminate the reckless and irresponsible driver of motor vehicles from the highways of the State of Alabama; to provide for the giving of security and proof of financial responsibility by owners and operators of motor vehicles; to define words and phrases in said Act; to provide for the administration and enforcement of said Act by the Director of Public Safety of the State of Alabama and to prescribe his powers and duties; to provide for an operating record; to provide for appeals from his orders and decisions; to provide for the making of reports following a motor vehicle accident, and giving of security in case of a motor vehicle accident involving property damage in excess of \$50.00 or personal injuries to, or death of any person; to provide for certain exceptions where evidence of existing insurance is furnished; to provide certain further exceptions to requirements of the Act; to provide for the suspension of licenses and registration of motor vehicles, and duration thereof; to provide that the Act shall apply to non-residents, unlicensed drivers and unregistered motor vehicles and shall apply in certain instances to accidents in other states; to provide the form and amount of security; to provide for the custody, disposition and return of security; to provide matters not to be evidence in civil suits; to provide for reports on the non-payment of judgments; to provide for the suspension of licenses and registration for non-payment of judgments; to provide for the suspension until judgment paid or until proof given; to provide for the payment of judgments by installments; to provide for the proof required to be furnished upon certain convictions; to provide alternative methods of giving proof of financial responsibility, including a certificate of any insurance carrier that has in effect a motor vehicle liability policy; to provide certificates furnished by non-residents, owners of motor vehicles in the state; to define a motor vehicle liability policy; to provide for cancellation or termination of policies, and that this act shall not affect other policies; to provide for bond for proof of financial responsibility, amount of security, where deposited and type of security; to provide for money or securities as proof of financial responsibility; to prohibit a transfer of registration to defeat purposes of Act; to provide penalties for the violation of the provisions of this Act; to provide for surrender of licenses and registration; to provide for self-insurers; to provide Act not to apply to any motor vehicle owned by the United States, State of Alabama, or any political subdivision of this State, or any municipality; to provide that

certain provisions of Act not to apply to certain motor vehicles subject to supervision and regulation of the Alabama Public Service Commission; to provide certain powers and duties of the Superintendent of Insurance with respect to approval of plans for equitable apportionment among insurance companies of applicants for insurance who cannot obtain insurance by ordinary methods, and provide for appeals to the courts from decisions of said Superintendent of Insurance respecting such plans; to provide that this Act shall not prevent use of other process; to provide for uniformity of interpretation; to provide that if part of Act be held unconstitutional it shall not affect remaining parts of Act; to provide that this Act may be cited as the Motor Vehicle Safety-Responsibility Act; to authorize the Director of Public Safety, subject to provision of the Merit System, to appoint employees necessary to discharge the duties imposed by this Act; to declare that this Act is supplemental to the State Motor Vehicle Laws; to repeal Act No. 276, approved August 6, 1947, Acts 1947, Page 121, known as the Alabama Motor Vehicle Responsibility Act; to appropriate the sum of \$100,000.00 or so much thereof as may be necessary for the purposes set forth in this Act; to provide the effective date of this Act and a repeal of all acts and parts of acts in conflict herewith.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 158. To prohibit any officer or employee of the State Highway Department paying or authorizing to be paid the expense account of any person who is not employed by the State Highway Department.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Quarles
Andrews	Farmer	Locke (Choctaw)	Reneau
Bonner	Faulkner	Locke (Perry)	Richardson
Boutwell	High	McCary	Smith
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Phillips	Thagard
Eddins	Johnston (Mobile)	Pinson	Whatley

Nays:

—26  
—0

### RECESS

At 12:10 P. M., on motion of Mr. Andrews, the Senate took a recess until 2 o'clock this afternoon.

### AFTERNOON SESSION

### THIRTY-FIFTH LEGISLATIVE DAY

FRIDAY, AUGUST 31, 1951

The Senate reassembled at 2 o'clock P. M., Lieutenant-Governor Allen presiding.

### ROLL CALL

Present:

Messrs.:	Bonner	Clayton	Farmer
Andrews	Boutwell	Eddins	Faulkner
Benson	Byars	Fant	Foster

Golson	Larkins	Pinson	Smith
High	Locke (Choctaw)	Quarles	Sollie
Hollis	Locke (Perry)	Reneau	Thagard
Johnson (Chambers)	McCary	Richardson	Todd
Johnston (Mobile)	Norrell	Robison	Whitley
Jones	Phillips	Skidmore	Wright

—35

## REPORTS OF COMMITTEES

Mr. Reneau, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Roberson and Russell:

H. 1031. To declare valid and legal the creation, establishment and organization of housing authorities, and all bonds, notes, agreements and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken or done with reference thereto.

By Messrs. Morgan (Tuscaloosa), Fite (Marion), Kendall, Davis, Morgan (Jefferson), Beatty, Wallace and Hawkins (Etowah):

H. 774. Requiring Communists and knowing members of Communist Front Organizations to register with the Department of Public Safety; providing that neither the names of nominees of the Communist Party nor the names of Communists shall appear upon the ballots in primary or general elections; providing that probable Communists and knowing members of Communist Front Organizations shall not hold non-elective public positions or jobs; outlawing sabotage; defining terms; and prescribing penalties for violations of the Act.

By Messrs. Pflieger and Gallalee:

H. 639. Relating to public records; amending Sections 393 and 428 of Title 7, Code of Alabama (1940).

By Mr. Wallace:

H. 479. To amend Section 52 of Title 37 of the Code of Alabama of 1940.

By Messrs. Tumlin, Thomason and Thomas:

H. 255. To provide for alternate jurors in all civil and criminal cases which are tried by jury.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harrison (Shelby):

H. 979. To make an appropriation to the State Board of Veterinary Medical Examiners for each of the fiscal years ending September 30, 1952 and September 30, 1953.

By Mr. Martin:

H. 685. For the relief of Miss Allie May.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Butler (without recommendation):

H. 806. For the relief of John Character of Clay County:

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Simpson:

H. 650. Authorizing and directing the State Highway Director to make a payment of two thousand dollars for the relief of James Stoker of Fayette County from any funds appropriated to the Highway Department.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Oden (with amendment):

H. 754. Relating to taxation: exempting crushed limestone when sold or used for application to the soil by farmers from the sales and use taxes levied by Articles 10 and 11, Chapter 20, Title 51, Code of Alabama, 1940, as amended.

Mr. Boutwell, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate without recommendation, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Shelton (without recommendation):

H. 995. To amend section 89, Title 51, Code of Alabama 1940, as amended, by Act No. 350, approved by the Governor July 1, 1943, General Acts of 1943, page 333.

By Messrs. Miller and Scruggs (without recommendation):

H. 1120. For the relief of Maude Henry.

#### RESOLUTION

Mr. Richardson offered the following Resolution, to-wit:

S. R. 98. Be it resolved that the Senate adjourn this afternoon at 4:30 P. M., and upon adjournment, we adjourn to meet again at 10 o'clock on Thursday, Sept. 6, 1951.

Which was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1101. To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census.

Also:

H. 1103. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the President of such Commission or Board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding Federal Census, and to fix the time and regulate the mode of payment of such salaries.

Also:

H. 475. To eliminate the reckless and irresponsible driver of motor vehicles from the highways of the State of Alabama; to provide for the giving of security and proof of financial responsibility by owners and operators of motor vehicles; to define words and phrases in said Act; to provide for the administration and enforcement of said Act by the Director of Public Safety of the State of Alabama and to prescribe his powers and duties; to provide for an operating record; to provide for appeals from his orders and decisions; to provide for the making of reports following a motor vehicle accident, and giving of security in case of a motor vehicle accident involving property damage in excess of \$50.00 or personal injuries to, or death of any person; to provide for certain exceptions where evidence of existing insurance is furnished; to provide certain further exceptions to requirements of the Act; to provide for the suspension of licenses and registration of motor vehicles, and duration thereof; to provide that the Act shall apply to non-residents, unlicensed drivers and unregistered motor vehicles and shall apply in certain instances to accidents in other states; to provide the form and amount of security; to provide for the custody, disposition and return of security; to provide matters not to be evidence in civil suits; to provide for reports on the non-payment of judgments; to provide for the suspension of licenses and registration for non-payment of judgments; to provide for the suspension until judgment paid or until proof given; to provide for the payment of judgments by installments; to provide for the proof required to be furnished upon certain convictions; to provide alternative methods of giving proof of financial responsibility, including a certificate of any insurance carrier that has in effect a motor vehicle liability policy; to provide certificates furnished by non-residents, owners of motor vehicles in the state; to define a motor vehicle liability policy; to provide for cancellation or termination of policies, and that this act shall not affect other policies; to provide for bond for proof of financial responsibility, amount of security, where deposited and type of security; to provide for money or securities as proof of financial responsibility; to prohibit a transfer of registration to defeat purposes of Act; to provide penalties for the violation of the provisions of this Act; to provide for surrender of licenses and registration; to provide for self-insurers; to provide Act not to apply to any motor vehicle owned by the United States, State of Alabama, or any political subdivision of this State, or any municipality; to provide that certain provisions of Act not to apply to certain motor vehicles subject to supervision and regulation of the Alabama Public Service Commission; to provide certain powers and duties of the Superintendent of Insurance with respect to approval of plans for equitable apportionment among insurance companies of applicants for insurance who cannot obtain insurance by ordinary methods, and provide for appeals to the courts from decisions of said Superintendent of Insurance respecting such plans; to provide that this Act shall not prevent use of other process; to provide for uniformity of interpretation; to provide that if part of Act be held unconstitutional it shall not affect remaining parts of Act; to provide that this Act may be cited as the Motor Vehicle Safety-Responsibility Act; to authorize the Director of Public Safety, subject to provision of the Merit System, to appoint employees necessary to discharge the duties imposed by this Act; to declare that this Act is supplemental to the State Motor Vehicle Laws; to repeal Act No. 276, approved August 6, 1947, Acts 1947, Page 121, known as the Alabama Motor Vehicle Responsibility Act; to appropriate the sum of \$100,000.00 or so much thereof as may be necessary for the purposes set forth in this Act; to provide the effective date of this Act and a repeal of all acts and parts of acts in conflict herewith.

R. T. GOODWYN, JR.,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bill with the Engrossed and Original Bill, respectively, and finds same correctly enrolled, to-wit:

S. 668. To provide that no assessment shall be made against any person for sales tax which became due more than three years prior to the date the Department of Revenue commenced an audit of the books of such person to ascertain the amount due, or, if no audit is made, prior to the date the Department mailed written demand therefor.

HERBERT B. BYARS,  
Chairman.

## SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 611. To appropriate twenty-five thousand dollars (\$25,000.00) for the fiscal year ending September 30, 1951 from the Special Educational Trust Fund to the Artificial Insemination Unit of the Alabama Polytechnic Institute.

Also:

S. 596. Relating to insurers not authorized to transact business in this State; providing for actions in this state against and for the service of process upon such insurers; and prescribing how a defense may be made by such insurers.

Also:

S. 672. To impose extra, new, and additional duties upon the members of the county governing body of any county of the State having a population of not less than thirty thousand (30,000) nor more than thirty-three thousand five hundred (33,500) inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Also:

S. 332. To define a "Motor Bus" and to provide a maximum per-



missible length for any motor bus driven or operated upon the highways of Alabama and to repeal all laws in conflict herewith.

Also:

S. 571. Creating the office of Deputy Circuit Solicitor in the Sixth Judicial Circuit; providing for his appointment, duties and compensation.

Also:

S. 650. Relating to the municipality of Elba in Coffee County: To alter, re-arrange, and extend the boundaries and corporate limits of the municipality of Elba.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 173. To provide that the withdrawal or expenditure of any funds in the State Treasury to the credit of the Agricultural Fund provided for in Title 2, Article 3 of the Code of Alabama of 1940, for the payment of salaries, expenses, equipment, operational costs or maintenance, or for any reason whatsoever, shall be pursuant to budget and allotment as is provided in Title 55, Chapter 4, Article 3 of the Code of Alabama of 1940, and limited to the amounts provided therefor by the Legislature in the general appropriation bill. Any unappropriated funds remaining in the Agricultural Fund or any unexpended funds remaining in the appropriation to the Department of Agriculture by the Legislature at the end of each fiscal year shall be carried in the State Treasury in the Agricultural Fund.

Also:

S. 170. To amend Section 7 of Act No. 2, approved May 10, 1945, which relates to cost of collection expense.

Also:

S. 178. To amend Title 51, Section 429 of the Code of Alabama 1940, as amended by Act No. 547, approved July 10, 1943, which relates to cost of collection expense.

Also:

S. 179. To amend Title 51, Section 808, of the Code of Alabama 1940, which relates to cost of collection expense.

Also:

S. 180. To amend Title 51, Sections 715 and 717, of the Code of Alabama 1940 which relate to cost of collection expense.

Also:

S. 188. To amend Title 51, Section 441, of the Code of Alabama 1940, which relates to cost of collection expenses.

Also:

S. 192. To amend Title 51, Section 739, of the Code of Alabama 1940, which relates to cost of collection expenses.

Also:

S. 193. To amend Title 46, Section 300 of the Code of Alabama 1940 which relates to funds of Alabama Real Estate Commission.

Also:

S. 194. To amend Title 51, Section 629 of the Code of Alabama 1940, as amended by Act No. 430, approved July 6, 1945, which relates to cost of collection expense.

Also:

S. 195. To amend Title 51, Section 632 of the Code of Alabama of 1940, as amended by Act No. 342, approved July 1, 1943, which provides for the disbursement of the tax collection under and pursuant to Section 631 of said Title; and to provide for the effective date of this Act.

Also:

S. 196. To amend Title 46, Sections 316 and 329 of the Code of Alabama 1940 which relate to funds of the State Board of Veterinary Medical Examiners.

Also:

S. 175. To amend Title 28, Section 325, of the Code of Alabama 1940, as amended by Act No. 675, approved September 19, 1949, which relates to expenditures from State Insurance Fund.

Also:

S. 174. To amend Title 51, Section 784 of the Code of Alabama 1940, as amended by Act No. 82, approved June 2, 1943, which relates to cost of collection expense.

Also:

S. 176. To provide that the distributions, expenditures, withdrawals, and disbursements of funds by the State Department of Aeronautics shall be only in the amounts and for the purposes as provided in the general appropriation bill; and to repeal all laws or parts of laws in conflict herewith.

Also:

S. 311. To amend Title 51, Section 646, of the Code of Alabama 1940, which relates to gasoline and other motor fuels.

Also:

S. 184. To amend Title 8, Section 183, of the Code of Alabama of 1940, as amended by Act No. 228, approved July 9, 1945, which relates to State Park Fund.

Also:

S. 182. To amend Section 3 of Act No. 230, approved July 9, 1945, entitled "An Act To create within the Department of Conservation a fund to be known as the Game, Fish and Seafoods Fund, and to provide for the administration, disbursement, and use of said fund by the Director of Conservation."

Also:

S. 183. To amend Section 10 of Act No. 341, approved July 9, 1945, entitled "An Act To provide for the Office of Land Agent within the

Department of Conservation and to define the Departments powers and duties with respect to lands owned by the State of Alabama or any department or institution thereof: to provide that each State department or institution of the State of Alabama owning, controlling or managing any State or departmental lands shall file with the Department of Conservation a list of lands which it owns or in which any interest is claimed, to define the meaning of the terms "used Lands" and "unused land"; to provide that such list shall describe such lands by numbering or other adequate description and classify the same as "used land" or "unused land", the manner in which title to the lands was acquired, the character of title and the use for which such lands are chiefly valuable, and the use to which said lands is being put; to provide for the preservation of such list; to provide for the compilation of a record of the ownership of all lands held in trust by any institution or department of the State of Alabama; to provide for the mapping, surveying, cruising, developing, and disposal of lands; to provide for the filing of a copy of all instruments by which the State or any institution disposes of or acquires lands; to provide for the recordation on county records of the State's ownership of lands; to provide for the disposition of any revenue from unused lands; to provide funds for administering this act."

Also:

S. 185. To amend Title 8, Section 202, of the Code of Alabama of 1940, as amended by Act No. 227, approved July 9, 1945, which relates to State Forestry Fund.

Also:

S. 191. To amend Section 5 of Act No. 169, approved June 23, 1945 (General Acts of Alabama 1945, page 285) entitled "An Act to provide further for conservation of the natural resources of the State by protection of forest products and development of the forestry program; to levy a privilege tax, to be known as The Forest Products Severance Tax, upon every person engaging in the business of severing timber or other forest products from the soil; to fix liability for, and prescribe methods of collecting and enforcing payment of such tax; to require records and reports; to provide for the assessment of the tax and appeals therefrom and exempting certain owners; to require reports from manufacturers, producers and transporters; to define terms and fix penalties for violation; to make appropriation of the proceeds of said tax.

Also:

S. 200. To amend Title 46, Sections 68 and 71, of the Code of Alabama 1940, which relates to the State Licensing Board for General Contractors.

Also:

S. 202. To amend Title 46, Section 13 of the Code of Alabama of 1940, as amended by Act No. 226, approved June 22, 1943, which relates to receipts and disbursements of the State Board of Registration for Architects.

Also:

S. 130. To amend Title 46, Sections 30 and 32, of the Code of Alabama, 1940, which relate to the Alabama State Bar.

Also:

S. 177. To amend Section 13 of Act No. 590, approved June 27, 1940 (1939 General Acts of Alabama, page 958) entitled "An Act To impose an excise tax upon the sale, distribution, storing, or withdrawal from

storage within this State of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto," which relates to cost of collection expenses.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING

The Bill:

H. 81. To provide State aid in the promotion of agricultural interest throughout the State through bona fide agricultural fairs, livestock shows, and other agricultural and industrial exhibits and to prescribe the manner in which funds appropriated for that purpose shall be disbursed.

Was read a third time at length and passed.

Yeas 23; Nays 2.

Yeas:

Messrs.:	Fant	Hollis	Richardson
Andrews	Farmer	Jones	Robison
Benson	Faulkner	Locke (Choctaw)	Smith
Boutwell	Foster	Norrell	Todd
Clayton	Golson	Phillips	Whately
Eddins	High	Reneau	Wright

—23

Nays: Messrs. Johnson (Chambers) and Johnston (Mobile)

—2

### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills and resolutions with the engrossed and original bills and resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 14. Requiring the owners of cattle desiring to brand such cattle to register the brands with the Department of Agriculture and Industries and prescribing a fee therefor; making the presence of such registered brands on cattle evidence of ownership of cattle so branded; to provide for the re-registering and transfer of registered brands; to require the State Department of Agriculture and Industries to furnish copies of registered brands to livestock markets, circuit court clerks, and sheriffs; imposing certain duties relative to the sale and handling of branded cattle upon livestock markets by requiring such markets to keep records of sales, give notice thereof and furnish bills of sale to buyers; to require hide dealers to keep certain records for identification of hides and cat-

tle; to authorize the Department of Agriculture and Industries to promulgate rules and regulations to carry out the provisions of this Act; to provide that certain violations of this Act are unlawful and constitute a misdemeanor; and providing the repeal of other laws in conflict herewith and a date upon which this Act shall become effective.

Also:

S. 60. To provide the manner in which state-owned textbooks shall be purchased.

Also:

S. 78. For the relief of Claude M. Finley.

Also:

S. 91. To permit the deduction by individual income tax payers, in computing net income for income tax purposes, of certain non-trade or non-business expenses.

Also:

S. 93. To amend Section 150 of Title 7 of the 1940 Code of Alabama.

Also:

S. 158. To amend Section 91 of Title 8, Code of Alabama (1940), which relates to licenses to capture and kill fur-bearing animals.

Also:

S. 204. Requiring that a conventionalized representation of a heart and the words "Heart of Dixie", be imprinted on every license tag or license plate issued by the State of Alabama for use on motor vehicles.

Also:

S. 315. To authorize the State of Alabama to appropriate and pay to S. H. Park of Brewton, Alabama the sum of \$623.62 to reimburse the said S. H. Park for hospital and doctors' bills and medicine bills and ambulance service and nurses' services on account of injuries sustained in falling off a bridge being reconstructed on State Highway 20 at the Cahaba River on October 23, 1950, while in line of his duty as an employee of the State Highway Department.

Also:

S. 319. To amend Section 257 of Title 13 of the 1940 Code of Alabama, as amended.

Also:

S. 334. To define the words, term and phrase "truck trailer and semi-trailer" when used in Article 10 of Title 51 of the Code of Alabama of 1940, as last amended, relating to the sales tax.

Also:

S. 394. For the relief of Walter Dewey Martin of Tuscaloosa County.

Also:

S. 415. To provide for ownership and supervision of swamp and overflowed lands and swamp and overflowed indemnity lands. To provide for disposition of revenue derived from the sale or utilization of said lands.

Also:

S. 514. Relating to executive committees of political parties; amending Section 341, Title 17, Code of Alabama (1940).

Also:

S. 534. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics, agriculture, and medical technology.

Also:

S. 555. To authorize the State Board of Agriculture and Industries to expend any funds in the State Markets Fund of the Agricultural Fund, not exceeding \$75,000.00 for the purpose of equipping, enlarging and expanding buildings or other facilities constructed by the State Markets Board and providing that no amounts shall be expended hereunder until all amounts required to be repaid to the General Fund of the State Treasury pursuant to Act No. 687 of the Legislature of 1947, shall have been repaid.

Also:

S. 643. Relating to Franklin County; proposing an amendment to the Constitution of Alabama to authorize the issuance of bonds by the county for the construction of an agricultural building and providing for the construction thereof; and ordering an election on the proposed amendment.

Also:

S. 651. To make an additional appropriation to the State Board of Education for the physical restoration of crippled children.

Also:

S. 652. To provide additional compensation for certain county officers in counties having a population of not less than ninety-three thousand and nine hundred nor more than one hundred thirty-seven thousand inhabitants and in which the salaries of such officers may be fixed, regulated and altered by the Legislature.

Also:

S. 654. Relating to the Sixth Judicial Circuit of Alabama; prescribing the method of striking juries in civil and criminal cases; repealing conflicting laws.

Also:

S. 657. Relating to municipalities having a population of not less than 5,800 nor more than 6,200 inhabitants; to provide for zoning in such municipalities; providing for a zoning commission therein; and providing for its membership, powers, authority, functions and duties.

Also:

S. 659. To amend Section 1 of Act No. 129, S. 176 (Local Acts of Alabama, 1907) approved February 28, 1907, as amended, which relates to the revenue districts of Montgomery County.

Also:

S. 660. To amend Section 19 of Act 781, approved September 28, 1915, as said act is amended by Act 131, approved February 17, 1919, which relates to firemen's pension and relief fund.

Also:

S. 661. To amend Section 546 of Title 62 of the Code of Alabama of 1940 which relates to firemen's pension and relief fund.

Also:

S. 666. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of 400,000 or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

S. 670. To provide that in all counties having a population of not less than 13,500 nor more than 15,500, the Board of County Commissioners, Board of Revenue, or other like governing boards may designate one or more State or National Banks as the County Depository.

Also:

S. J. R. 91. Relative to the naming of S. B. 349.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bills:

H. 1108. To alter, rearrange and increase the boundaries of the City of Bessemer, Jefferson County, Alabama, to provide for elections to submit to the qualified voters of the territory or territories to be annexed to said city of Bessemer for their approval or rejection of such alterations and extension.

Also:

H. 140. To provide that in all counties having a population of not less than 75,000 nor more than 130,000 according to the preliminary count of 1950 Federal Census or according to any future regular decennial Federal Census, every voter should be entitled to absent himself from any services or employment in which he is then engaged for two consecutive hours between the time of opening and the time of closing the polls without being liable for any penalty except for wages or compensation actually lost; and to provide that each employer shall have the right to schedule such time as such employee absent himself.

R. T. GOODWYN, JR.,  
Clerk.

To the President of the Senate:

To the Speaker of the House:

We, your Committee on Conference appointed to reconcile the differences between the two Houses on the House Amendments to Senate Bill 357 recommend as follows:

We recommend that the House recede from that amendment to the Bill which reads as follows:

"Amend S. B. 357 by striking therefrom the words 'levied by the State', wherever the same appear therein and insert in lieu thereof the following words 'levied for the use of the State'."

And that the Bill be further amended as follows:

Amend Section 1 of S. B. 357, as amended, by adding at the end thereof and before the quotation mark therein, a sentence to read as follows:

The provisions of this amendment shall not apply to any such fees, excises, or license taxes now levied by the State for school purposes for the whole State or for any county or city Board of Education therein.

Amend Section 3 of S. B. 357, as amended, by adding at the end thereof and before the first quotation mark in the last line thereof, a sentence to read as follows:

The provisions of this Amendment shall not apply to any such fees, excises, or license taxes now levied by the State for school purposes for the whole State or for any county or city Board of Education therein.

A. W. TODD,  
GEORGE P. QUARLES,  
E. O. EDDINS,  
Conferees on part of Senate.

KARL C. HARRISON,  
PELHAM J. MERRILL,  
D. W. WARD,  
Conferees on part of House.

#### CONFERENCE REPORT

On motion of Mr. Todd, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. B. 357. To propose an amendment to the Constitution of Alabama in relation to expenditure of moneys derived from fees or taxes relating to the use of vehicles on public highways, or to fuels used for propelling such vehicles.

Yeas 26; Nays 0.

Yeas:

Messrs.:  
Andrews  
Benson  
Bonner  
Boutwell  
Clayton  
Eddins

Fant  
Farmer  
Faulkner  
Golson  
Hollis  
Johnston (Mobile)  
Jones

Larkins  
Locke (Choctaw)  
Locke (Perry)  
Norrell  
Phillips  
Reneau  
Richardson

Robison  
Smith  
Sollie  
Todd  
Whatley  
Wright

—26

Nays:

—0



## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 515. TO provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts, including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama:

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 515, the title of which is set out in the foregoing Message from the House:

## AMENDMENT TO SENATE BILL NO. 515

Amend Section 2 of the bill by striking out the last sentence thereof and inserting in lieu thereof the following: "The term 'resolution,' wherever used in this Act with reference to action to be taken by the governing body of a municipality, means a resolution adopted by a majority vote of a quorum present of such governing body. All resolutions of a general or permanent nature adopted or promulgated by the governing body of a municipality under the provisions of this Act shall be published in a newspaper of general circulation in the municipality, but if no newspaper is published within the limits of such municipality, such resolution may be published by posting a copy thereof in three public places within the limits of the municipality."

Also, amend Section 8 of the bill by striking out the last sentence and inserting the following:

"Any resolution of a general or permanent nature shall not become effective until it has been published in some newspaper of general circulation in the district, but if no such newspaper is published within the limits of the district, such resolution may be published by posting a copy thereof in three public places within the limits of the district."

Also, amend Section 4 of the bill by striking therefrom Item 12 and inserting in lieu thereof the following:

"(12) To establish, by resolution, rates and charges for its gas and gas services and to alter such rates and charges, which resolution shall be published in some newspaper of general circulation in the district, but if no newspaper is published within the limits of the district, such resolution may be published by posting a copy thereof in three public places within the limits of the district;"

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Richardson	
Andrews	Farmer	Larkins	Robison	
Boutwell	Faulkner	Locke (Choctaw)	Smith	
Byars	High	Locke (Perry)	Whatley	
Clayton	Hollis	Phillips	Wright	
Eddins	Johnston (Mobile)			—21

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following joint resolution:

H. J. R. 133. Relative to the naming of House Bill No. 283.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the State Board of Pardons and Paroles.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

August 31, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

Under the provisions of Act No. 599, approved August 31, 1951, Regular Session of 1951, I am appointing, subject to your confirmation, the following as members of the State Board of Pardons and Paroles:

Mrs. Ethel Salter Gayle, Montgomery, Chairman, term to begin September 16, 1951, and expiring June 30, 1957.

James N. Bloodworth, Decatur, Member, succeeding Mrs. Ethel Salter Gayle, resigned, for the term beginning September 16, 1951, and expiring June 30, 1953.

Neil O. Davis, Auburn, Member, succeeding himself, resigned, said term expiring June 30, 1955.

Respectfully,

GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the State Board of Pardons and Paroles, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the Gulf States Marine Fisheries Compact.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 31, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am appointing, subject to your confirmation, Dr. W. C. Holmes, Foley, Alabama, as a representative from Alabama to the Gulf States Marine Fisheries Compact, to fill the unexpired term of Mr. Bert E. Thomas, resigned, for the term expiring June 8, 1953.

Respectfully,

GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Gulf States Marine Fisheries Compact, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the following joint resolution:

S. J. R. 88. Relative to appointing a joint legislative committee to investigate and inquire into the administration and operation of Bryce

Hospital and Partlow State School, and report its recommendations to the next session of the Legislature.

And the Speaker of the House named as members of the Joint Legislative Committee on the part of the House Messrs. Thomas, Baker and Mathison.

And the said Senate Joint Resolution, together with the Conference Committee Report, is returned herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

by Mr. Whatley:

S. J. R. 93. Relative to the naming of S. B. 668 the Reneau-Miller Bill.

Also:

By Mr. Johnson (Chambers):

S. J. R. 94. Relating to naming Senate Bill 60 the Reneau-Adams (Tallapoosa) Bill.

Also:

By Mr. Robison:

S. J. R. 95. Relating to naming S. B. 78 the Robison, Dawkins, Hall, Sellers, Tennille Bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 437. Relating to the Milk Control Board; amending Section 207 of Title 22, Code of Alabama (1940).

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Byars, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 437, the title of which is set out in the foregoing Message from the House.

#### AMENDMENT TO S. B. 437

Amend S. B. 437 by striking therefrom the words twenty dollars wherever they appear and substituting in lieu thereof the words fifteen dollars.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Richardson
Andrews	Faulkner	Larkins	Robison
Boutwell	Golson	Locke (Choctaw)	Skidmore
Byars	High	Norrell	Smith
Clayton	Hollis	Pinson	Thagard
Eddins	Johnson (Chambers)	Quarles	Whatley
Fant	Johnston (Mobile)	Reneau	Wright

—27

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Roberson:

H. J. R. 135. Resolved by the House, the Senate concurring that H. B. No. 475 be named the Adams of Jefferson, Morgan of Jefferson, Adams of Tallapoosa, Roberson, Boutwell and Thagard Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Boutwell, the Rules were suspended and the Resolution, H. J. R. 135, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 481. To fix the salaries of the second, third, fourth, fifth and sixth deputy circuit solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Also:

S. 385. To define and prohibit the unfair sales of cigarettes; and to provide remedies and set forth penalties for violations.

Also:

S. 558. Relating to boards of trustees of electric co-operatives; amending Section 39, Title 18, Code of Alabama (1940).

Also:

S. 358. To be designated as Section 419 (1) of Title 51, Code of Alabama 1940, to provide for the inspection of State Income Tax Returns by officials and duly authorized agents of the Federal Bureau of Internal Revenue, for the purpose of the administration and enforcement of the Federal Income Tax Law, subject to rules and regulations which are to be provided by the State Commissioner of Revenue.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 452. To further regulate the taking of fish in the public waters of Alabama.

Also:

S. 635. To make a conditional appropriation to the Department of Conservation, Division of State Parks, Monuments and Historical Sites.

Also:

S. 355. To provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for pardon unless his innocence of the crime for which he was convicted is proved to the satisfaction of the Board of Pardons and Paroles, and such board votes unanimously to grant such person a pardon and the granting of the pardon is approved by the Governor; to provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for parole until such person shall have served at least fifteen years of such life sentence:

Also:

S. 530. To appropriate \$120,000 annually during the next two fiscal years to The Armory Commission of Alabama to be used in providing necessary armory facilities for Alabama National Guard units, including the matching of Federal funds made available to the State of Alabama for such purpose.

Also:

S. 354. To amend Section 372, Title 15, Code of Alabama 1940:

Also:

S. 488. To provide that any bank or trust company and any national banking association, and any branch or branches of any of them transacting business in this State may close on any one business day of each week, even though a legal holiday shall also occur in any such week, and to provide that any day which such institution may elect to close shall, with respect to such institution, be deemed a holiday for all purposes and not a business day, and that all acts omitted or done by such bank or trust company and/or national banking association and/or branches of any of them on such day shall have the same effect as if omitted or done on the next succeeding business day, and that any act authorized, required or permitted to be performed at or with respect to any such Bank or trust company and/or national banking association or any branch or branches of any of them on the day so fixed may be performed on the next succeeding business day and no liability or loss of rights of any kind shall result from such delay to any person, or to any bank, trust company, national banking association, or any branch or branches of any of them.

Also:

S. 576. To provide that persons employed in an administrative or research capacity by the Agricultural Experiment Station of the Alabama Polytechnic Institute may become members of the Teachers' Retirement System and shall receive all of the benefits provided for the teachers under the provisions of Chapter 14 of Title 52, Code of Alabama

(1940); and to make an appropriation to carry out the provisions of this Act.

Also:

S. 489. To amend Section 184 of Title 39 of the Code of Alabama (1940) which relates to legal holidays, and the due dates of commercial paper, and the time of doing of acts with respect to commercial paper.

Also:

S. 490. To amend Section 86 of Title 39 of the Code of Alabama (1940) which relates to presentment of negotiable paper and to the payment, certification or acceptance thereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 701. To amend Section 1 of Act No. 288, S. 161, approved July 7, 1945 (General Acts of Alabama, 1945, page 478) entitled "An Act To provide Judicial Officers of the State; to designate them as Supernumerary Circuit Judges; to provide the conditions under which a Judge of the Circuit Court may become a Supernumerary Circuit Judge; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation, and the method of removal from office of such Supernumerary Circuit Judges, and to appropriate funds for the payment of such compensation."

was taken up.

Mr. Boutwell offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. NO. 701

Strike out Section 2 in its entirety and insert in lieu thereof the following:

"Section 2. This Act shall become effective on the third Tuesday in January, 1953."

Mr. Robison moved that said amendment be laid on the table, and the motion to table was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Golson	Locke (Choctaw)	Smith	
Clayton	High	Phillips	Todd	
Eddins	Johnson (Chambers)	Robison	Wright	
Foster	Johnston (Mobile)	Skidmore		—14

Nays:

Messrs.:	Fant	Locke (Perry)	Reneau	
Benson	Faulkner	McCary	Richardson	
Bonner	Hollis	Norrell	Thagard	
Boutwell	Jones	Pinson	Whatley	
Byars	Larkins	Quarles		—18

The question recurred on the amendment offered by Mr. Boutwell, and said amendment was then lost.

Yeas 13; Nays 18.

Yeas:

Messrs.:	Faulkner	McCary	Reneau	
Bonner	Hollis	Norrell	Thagard	
Boutwell	Jones	Quarles	Whatley	
Byars	Locke (Perry)			—13

Nays:

Messrs.:	Foster	Locke (Choctaw)	Smith	
Benson	Golson	Phillips	Sollie	
Clayton	High	Pinson	Todd	
Eddins	Johnson (Chambers)	Robison	Wright	
Fant	Johnston (Mobile)	Skidmore		—18

And said Bill was then read a third time at length and passed.

Yeas 19; Nays 11.

Yeas:

Messrs.:	Fant	Johnson (Chambers)	Robison	
Andrews	Foster	Johnston (Mobile)	Skidmore	
Benson	Golson	Locke (Choctaw)	Smith	
Clayton	High	Phillips	Thagard	
Eddins	Hollis	Pinson	Todd	
				—19

Nays:

Messrs.:	Byars	McCary	Richardson	
Bonner	Jones	Quarles	Sollie	
Boutwell	Larkins	Reneau	Whatley	
				—11

## RESOLUTION

Mr. Reneau offered the following Senate Joint Resolution, to-wit:

S. J. R. 99. Be it resolved by the Senate, the House of Representatives concurring, that Senate Bill No. 611, which has passed both Houses, be known and be designated as the "Whatley-Ward Bill".

And the Rules were suspended and the Resolution adopted by the Senate.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 305. To amend Sections 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 326, 328 and 329 of Title 46, Code of Alabama 1940; and to repeal Sections 321, 325 and 327 of Title 46 Code of Alabama 1940, all of which relate to the practice of veterinary medicine and surgery in Alabama.

Was read a third time at length and passed.

Yeas 27; Nay 1.

Yeas:

Messrs.:	Clayton	Golson	Larkins
Andrews	Eddins	High	Locke (Choctaw)
Benson	Fant	Hollis	Norrell
Boutwell	Farmer	Johnston (Mobile)	Phillips



Pinson	Richardson	Smith	Todd	
Quarles	Robison	Sollie	Whatley	
Reneau	Skidmore	Thagard	Wright	—27

*Nay:* Mr. Bonner —1

The Bill:

H. 343. To provide that no charges for dismissal or disciplinary action shall be preferred against any employee in the classified service of the State after the expiration of one year from the date such cause became known to the authority having the power to dismiss or discipline such employee.

was taken up.

Mr. Reneau offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. 343

House Bill No. 343 is hereby amended as follows:

By striking out of the third line of Section 1 the word "one" and inserting in lieu thereof the word "three".

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Farmer	Larkins	Robison	
Andrews	Faulkner	Locke (Perry)	Skidmore	
Benson	Foster	Norrell	Sollie	
Boutwell	High	Pinson	Thagard	
Clayton	Hollis	Reneau	Whatley	
Eddins	Johnson (Chambers)	Richardson	Wright	—25
Fant	Johnston (Mobile)			

*Nays:* —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

*Yeas:*

Messrs.:	Farmer	Johnston (Mobile)	Richardson	
Benson	Faulkner	Larkins	Robison	
Bonner	Foster	Locke (Choctaw)	Skidmore	
Boutwell	Golson	Locke (Perry)	Smith	
Clayton	High	Norrell	Sollie	
Eddins	Hollis	Pinson	Thagard	
Fant	Johnson (Chambers)	Reneau	Wright	—27

*Nays:* —0

The Bill:

H. 516. To amend Section 306 of Title 28 of the Code of Alabama of 1940, as previously amended by an Act entitled "An Act to amend Sections 304, 306, 308 and 311 of Title 28 of the Code of Alabama of 1940, relating to non-profit corporations for establishment of hospitalization plan", approved June 1, 1945.

Was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Faulkner	Larkins	Skidmore	
Boutwell	Foster	Pinson	Sollie	
Clayton	High	Reneau	Whatley	
Eddins	Hollis	Richardson	Wright	
Farmer	Johnson (Chambers)	Robison		—18

Nays:

—0

The Bill:

H. 273. To amend Section 343 of Title 55 of the Code of Alabama of 1940, relating to the appropriation for the State Board of Adjustment; to increase the amount appropriated for the payment of awards and expenses.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Hollis	Phillips	Skidmore	
Boutwell	Johnson (Chambers)	Pinson	Smith	
Clayton	Locke (Choctaw)	Reneau	Sollie	
Eddins	Locke (Perry)	Richardson	Thagard	
Farmer	Norrell	Robison	Whatley	
High				—20

Nays:

—0

The Bill:

H. 1017. Relating to counties which have populations of not less than 30,000 nor more than 33,500 inhabitants, according to the 1950 or any subsequent decennial census of the United States, and two court-houses; providing for the appointment of deputies or clerks in the offices of the tax assessor, tax collector, and circuit clerk of such counties and to provide for the payment of their compensation.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	High	Locke (Perry)	Skidmore	
Boutwell	Hollis	Norrell	Sollie	
Clayton	Johnson (Chambers)	Phillips	Thagard	
Eddins	Larkins	Reneau	Whatley	
Fant	Locke (Choctaw)	Robison	Wright	
Farmer				—20

Nays:

—0

## RESOLUTIONS

Mr. Larkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 100. Be it resolved by the Senate, the House of Representatives concurring, that Senate Bills 379, 380 and 381, which have passed both houses each be known and be designated as the Thagard, Reneau, Miller and Johnson (Tallapoosa) Bill.

And the Rules were suspended and the Resolution adopted by the Senate.

Mr. Larkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 101. Be it resolved by the Senate, the House of Representatives concurring, that Senate Bills 382, 383, 399 and 400 which have passed both Houses, each be known and be designated as the "Reneau, Thagard, Miller, Adams (Tallapoosa) and Bush Bill."

And the Rules were suspended and the Resolution adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions and House Bills, your signature thereto is requested.

H. J. R. 132. Relative to relieving the Doorkeepers and Secretary of State of responsibility for Codes, Acts and Journals furnished members of the Legislature.

Also:

H. J. R. 133. Relative to designating H. B. 283.

Also:

H. J. R. 134. Relative to extending thanks to Capitol Press Corps.

Also:

H. 140. To provide that in all counties having a population of not less than 75,000 nor more than 130,000 according to the preliminary count of 1950 Federal Census or according to any future regular decennial Federal Census, every voter should be entitled to absent himself from any services or employment in which he is then engaged for two consecutive hours between the time of opening and the time of closing the polls without being liable for any penalty except for wages or compensation actually lost; and to provide that each employer shall have the right to schedule such time as such employee absent himself.

Also:

H. 48. To create a State Bureau of Publicity and Information, transferring to it the functions, funds, jurisdiction, authority, personnel, property and effects of the Division of Records and Reports, providing for the appointment of a Director of Publicity and an advisory board, abolishing the office of Director of the Division of Records and Reports, conferring exclusive power upon the Bureau to plan and conduct all state programs of tourist advertising, and making an appropriation for that purpose.

Also:

H. 81. To provide State aid in the promotion of agricultural interest throughout the State through bona fide agricultural fairs, livestock shows, and other agricultural and industrial exhibits and to prescribe the manner in which funds appropriated for that purpose shall be disbursed.

Also:

H. 158. To prohibit any officer or employee of the State Highway Department paying or authorizing to be paid the expense account of any person who is not employed by the State Highway Department.

Also:

H. 1104. To authorize the Board of Education of each city having a population of 250,000 or more according to the 1940 or any succeeding decennial Federal census to allow vacation leaves to clerical and maintenance employees at any time during the year.

Also:

H. 1105. To authorize the Board or Boards of Education in each county having a population of 400,000 or more according to the 1940 or any succeeding decennial Federal census to allow vacation leaves to clerical and maintenance employees at any time during the year.

Also:

H. 1106. Relating to counties having a population of four hundred thousand or more inhabitants; to authorize the assessment of motor vehicles for ad valorem taxation to be commenced on September 15 of each year.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 908, said Governor's message being in words and figures as follows, to-wit:

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 908, with a suggested executive amendment.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

August 31, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 908, with a suggested executive amendment, as follows:

Amend Section 2 of House Bill No. 908 by striking from Sub-section

(b)-(2) the last sentence of said Sub-section, which sentence is as follows:

"The exemptions from taxation of the property and shares of capital stock granted in this subsection shall apply during the entire tax year of 1950-51 and each succeeding year."

The above amendment is made at the request of the authors of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 908, by a vote of Yeas 66, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 908. Relating to exemptions of persons and property from ad valorem taxation; amending Section 2, Title 51, Code of Alabama, 1940, as amended.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 66, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Clayton the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 908, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Foster	Locke (Choctaw)	Robison
Boutwell	High	Locke (Perry)	Skidmore
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Phillips	Thagard
Eddins	Johnston (Mobile)	Reneau	Whatley
Fant	Larkins	Richardson	Wright
Faulkner			

—24

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Faulkner	Hollis
Boutwell	Fant	Foster	Johnston (Mobile)
Clayton	Farmer	High	Larkins

**Locke (Choctaw)**  
Norrell  
Phillips

**Pinson**  
Quarles  
Richardson

**Robison**  
Skidmore  
Sollie

**Thagard**  
Whatley  
Wright

—23

*Nays:*

—0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 1044, said Governor's message being in words and figures as follows, to-wit:

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 1044, with suggested executive amendments.

Respectfully submitted,

**VERNON MERRITT, JR.,**  
Executive Secretary.

August 31, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 1044, with suggested executive amendments, as follows:

Amend House Bill 1044 by striking out the words "and applied in the manner herein prescribed" where the same appear together in the fourth sentence of Section 2 and insert in lieu thereof the following: "and paid into the general fund of such county."

Amend House Bill 1044 further by striking out all of that part of Section 2 which follows the fourth sentence of said Section up to but not including the last sentence.

The above amendments are made at the request of the authors of the bill.

Respectfully,

**GORDON PERSONS,**  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 1044, by a vote of Yeas 66, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 1044. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing witness fees for deputies sheriff subpoenaed in certain cases, and providing for the disposition thereof.

as amended by the amendment proposed by His Excellency, the Governor, was read a third time at length and passed by a vote of Yeas 66, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Boutwell, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 1044, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie	
Boutwell	McCary	Richardson	Thagard	
Faulkner	Norrell	Robison	Todd	
Foster	Phillips	Skidmore	Whatley	
Golson	Pinson	Smith	Wright	
Locke (Choctaw)	Quarles			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie	
Boutwell	McCary	Richardson	Thagard	
Faulkner	Norrell	Robison	Todd	
Foster	Phillips	Skidmore	Whatley	
Golson	Pinson	Smith	Wright	
Locke (Choctaw)	Quarles			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 1043, said Governor's message being in words and figures as follows, to-wit:

### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am transmitting to you a message from the Governor, returning

House Bill No. 1043, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 31, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 1043, with a suggested executive amendment, as follows:

Amend House Bill No. 1043 by striking out all of Section 2 except the first sentence thereof and inserting in lieu thereof and following the first sentence and as a part of Section 2 the following:

"The entire amount of said fee shall be paid to the county treasurer for the general fund of the county."

The suggested amendment is made at the request of the authors of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 1043, by a vote of Yeas 66, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 1043. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 66, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Boutwell, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 1043, the title of which and said amendment is set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie
Boutwell	McCary	Richardson	Thagard
Faulkner	Norrell	Robison	Todd
Foster	Phillips	Skidmore	Whatley
Golson	Pinson	Smith	Wright
Locke (Choctaw)	Quarles		



Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie
Boutwell	McCary	Richardson	Thagard
Faulkner	Norrell	Robison	Todd
Foster	Phillips	Skidmore	Whatley
Golson	Pinson	Smith	Wright
Locke (Choctaw)	Quarles		

—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 343. To provide that no charges for dismissal or disciplinary action shall be preferred against any employee in the classified service of the State after the expiration of one year from the date such cause became known to the authority having the power to dismiss or discipline such employee.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 392. To amend Section 3, Title 23, Code of Alabama (1940), which relates to the duties and powers of the State Highway Department.

Also:

S. 435. To amend Article 2, Chapter 40, of Title 14 of the 1940 Code of Alabama, which relates to pistols.

Also:

S. 379. To amend Title 51, Section 651, Code of Alabama 1940, which relates to the keeping of records of sales, withdrawals and distributions by distributors, refiners, storers, or retail dealers of gasoline and other motor fuel.

Also:

S. 380. To amend Title 51, Section 636, Code of Alabama 1940, which relates to the keeping of records of sales of oils, greases or substitutes by distributors, manufacturers, storers, or retail dealers.

Also:

S. 381. To amend Title 51, Section 665 (7), Code of Alabama 1940, as amended, which relates to the keeping of books showing sales, etc. to be

kept for three years in lieu of the two year period as heretofore provided.

Also:

S. 382. To amend Title 51, Section 913, Code of Alabama 1940, which relates to the refund on over-payment directly to the State Department of Revenue.

Also:

S. 383. To amend Title 51, Section 759, Code of Alabama 1940, which relates to the keeping of records for the purpose of the Sales Tax Act.

Also:

S. 399. To amend Title 51, Section 658, Code of Alabama 1940, as amended, which relates to the effect of acceptance of money on recovery of balance of excise tax due; and to further provide that petitions for refund shall be filed within three years from the date of the payment of any excess, and that all actions by the State for the recovery of additional amounts claimed as excise tax due under this Article shall be commenced within a period of three years; and to further provide that the limitation contained in this Section of three years, shall also apply to the tax levied on all other motor fuels included in Title 51, whether same be included under another Article or Section of Title 51, Code of Alabama 1940, or not.

Also:

S. 400. To amend Title 51, Section 640, Code of Alabama 1940, as amended, which relates to the effect of acceptance of money on recovery of balance of tax due; and to further provide that petitions for refund shall be filed within three years from the date of the payment of any excess, and that all actions by the State for the recovery of additional amounts claimed as excess due under this Article shall be commenced within a period of three years from the date the return was filed.

Also:

S. 475. To amend Section 847, Title 51, Code of Alabama 1940, relating to the remittance of moneys and certification of lists of licenses issued by judge of probate.

Also:

S. 474. To amend Section 712, Title 51, Code of Alabama 1940, as amended by Act No. 68, General Acts 1945, page 64, relating to the remittance of moneys and certification of lists of motor vehicles by judge of probate.

Also:

S. 112. To repeal Section 14 of Act No. 412, approved July 7, 1945, entitled "An Act To provide for the adoption, selection, purchase, and distribution of textbooks to be used in the tax-supported public schools of Alabama; to provide for, to define the duties of, and to limit the expenditures of a State Textbook Committee; to authorize the staggering of the adoption of textbooks in order that expenditures therefor may be equalized from year to year in so far as practicable; to provide for the adoption, purchase, distribution, and administration of state-owned textbooks by the State Board of Education; to provide for penalties for violation of certain terms of this act; and to repeal Sections 19 and 409 to 431, inclusive, Title 52, Code of Alabama 1940, and Sections 432 and 433, Title 52, Code of Alabama 1940 as amended by Act No. 313, approved June 28, 1943."

Also:

S. 396. To amend Section 352 of Title 52 of the 1940 Code of Alabama which relates to continuing service status of teachers.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 625, with a suggested executive amendment.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

August 31, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 625, with a suggested executive amendment, as follows:

Amend Senate Bill No. 625 by striking from the title and body thereof the following:

"seventy-eight thousand five hundred and not more than two hundred fifty thousand according to the last or any subsequent Federal Census."

wherever it appears therein and inserting in lieu thereof the following:

"one hundred and ten thousand and not more than two hundred and fifty thousand according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial Federal Census."

The above amendment is made at the request of the author of the bill.

Respectfully submitted,  
GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Johnston (Mobile), the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, which said amendment is set out in the foregoing Message from the Governor, to the Bill:

S. 625. Providing that in all cities in the State having a population of not less than seventy eight thousand five hundred and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, the governing bodies of such municipalities shall assess

and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Johnson (Chambers)	McCary	Sollie	
Faulkner	Johnston (Mobile)	Norrell	Thagard	
Foster	Jones	Robison	Todd	
Golson	Larkins	Skidmore	Whatley	
High	Locke (Choctaw)	Smith	Wright	
Hollis	Locke (Perry)			—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Johnson (Chambers)	McCary	Sollie	
Faulkner	Johnston (Mobile)	Norrell	Thagard	
Foster	Jones	Robison	Todd	
Golson	Larkins	Skidmore	Whatley	
High	Locke (Choctaw)	Smith	Wright	
Hollis	Locke (Perry)			—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 623, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

August 31, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 623, with a suggested executive amendment, as follows:

Amend Senate Bill No. 623 by striking from the title and body thereof the following:

"78,500 and not more than 250,000 according to the last or any subsequent Federal Census"

wherever it appears therein and inserting in lieu thereof the following:

"110,000 and not more than 250,000 according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial Federal Census."

The suggested amendment is made at the request of the author of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

### GOVERNOR'S MESSAGE

On motion of Mr. Johnston (Mobile), the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, which said amendment is set out in the foregoing Message from the Governor, to the Bill:

S. 623. To authorize all cities which now have or which may in the future have a population of not less than 78,500 and not more than 250,000 according to the last or any subsequent Federal Census, to use a portion of license taxes from fire insurance companies, and from general license taxes collected, certain percentages sufficient to pay Policemen's and Firemen's Pensions that have been granted and which should be paid out of Pension and Relief Funds set up for them.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Locke (Perry)	Reneau	Sollie
Johnson (Chambers)	McCary	Richardson	Thagard
Johnston (Mobile)	Norrell	Robison	Todd
Jones	Phillips	Skidmore	Whatley
Larkins	Pinson	Smith	Wright
Locke (Choctaw)	Quarles		

—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Johnson (Chambers)	Reneau	Sollie
Faulkner	Johnston (Mobile)	Richardson	Thagard
Foster	Jones	Robison	Todd
Golson	Larkins	Skidmore	Whatley
High	Pinson	Smith	Wright
Hollis	Quarles		

—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 350. To amend Section 6 of Act No. 542, S. 193, approved Sep-

tember 7, 1949 (Acts of Alabama, 1949, page 852) known as the Uniform Simultaneous Death Act.

Was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Perry)	Reneau	
Andrews	Farmer	McCary	Robison	
Boutwell	High	Norrell	Sollie	
Byars	Johnston (Mobile)	Pinson	Whatley	
Clayton	Jones	Quarles	Wright	—19

Nays:

—0

The Bill:

H. 187. To amend Title 48, Article 4, Section 301 (36), Code of Alabama 1940, to provide for the general revenue; and to further amend said code section to make provision for the use of the vehicle identification number in lieu of the motor and the serial numbers.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Quarles	
Boutwell	High	Locke (Perry)	Reneau	
Byars	Hollis	McCary	Sollie	
Clayton	Johnson (Chambers)	Norrell	Whatley	
Eddins	Johnston (Mobile)	Phillips	Wright	
Fant	Jones	Pinson		—22

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 531. To provide for the method of expending the appropriation made by subsection (19) of Section V in Act No. 386, H. B. 262, Regular Session, 1951.

Also:

S. 254. To make appropriation to the office of secretary of state to be used in establishing and compiling an alphabetical list of corporations.

Also:

S. 255. To amend Section 12 of Title 10 of the Code of Alabama (1940) which relates to alphabetical list of corporations kept by secretary of state.

Also:

S. 560. To provide an additional appropriation to the Department of Conservation, Division of State Lands.

Also:

S. 603. To amend Title 61, Section 301 of the 1940 Code of Alabama, as amended, entitled, "Settlement by Consent Without Notice."

Also:

S. 600. To provide for the approval by courts, without notice or publication or posting, of consent or agreed final settlements by and between guardians and their wards.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 188. To amend Title 51, Section 712, Code of Alabama 1940, as amended, to provide for the general revenue; and to further amend said law to make provision for the use of the vehicle identification number in lieu of the motor and serial numbers.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Robison
Andrews	Farmer	Norrell	Smith
Boutwell	High	Phillips	Sollie
Byars	Hollis	Pinson	Thagard
Clayton	Johnson (Chambers)	Quarles	Whatley
Eddins	Johnston (Mobile)	Reneau	Wright

—23

Nays:

—0

The Bill:

H. 864. To appropriate the sum of fifty thousand dollars (\$50,000.00) to the State Health Department for subsidy to the counties for the treatment of tuberculosis.

Was read a third time at length and passed.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Skidmore
Andrews	Faulkner	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Pinson	Thagard
Clayton	Johnson (Chambers)	Quarles	Whatley
Eddins	Johnston (Mobile)	Reneau	Wright
Fant	Jones	Robison	

—26

Nay: Mr. Bonner

—1

At 4:20 P. M., Mr. Bonner moved that the Senate do now adjourn until Thursday, September 6, 1951, which motion was lost.

Yeas 6; Nays 22.

Yeas:

Messrs.:	Johnston (Mobile)	Quarles	Sollie
Bonner	Locke (Perry)	Robison	

—6

*Nays:*

Messrs.:	Farmer	Larkins	Skidmore
Andrews	Faulkner	McCary	Smith
Boutwell	High	Norrell	Thagard
Byars	Hollis	Phillips	Whatley
Clayton	Johnson (Chambers)	Pinson	Wright
Fant	Jones	Reneau	

—22

## BILLS ON THIRD READING RESUMED

## The Bill:

H. 388. To amend Section 9 of Title 14 of the Code of Alabama (1940), which relates to the punishment for inducing an abortion.

Was read a third time at length and passed.

Yeas 18; Nays 8.

*Yeas:*

Messrs.:	Fant	Phillips	Skidmore
Andrews	High	Pinson	Sollie
Boutwell	Hollis	Quarles	Thagard
Byars	Johnston (Mobile)	Reneau	Wright
Eddins	Jones	Robison	

—18

*Nays:*

Messrs.:	Faulkner	Larkins	Smith
Clayton	Johnson (Chambers)	Norrell	Whatley
Farmer			

—8

## The Bill:

H. 896. To amend Section 4 of Act No. 275, approved July 26, 1951, entitled "An Act regulating the business of selling, distributing, storing or transporting liquefied petroleum gases; To regulate the design, construction, location, installation and operation of containers, tanks, systems and equipment for storing, utilization, handling and transporting liquefied petroleum gases; to create the Alabama Liquefied Petroleum Gas Commission and define its duty and authority; to provide for permits, permit fees and insurance and bond requirements of persons engaged in the businesses defined in this Act; to provide for a minimum amount of storage of liquefied petroleum gas by persons engaged in businesses defined in this Act; to provide penalties for the violation of this Act and any rule, or order promulgated pursuant hereto and to provide for the effective date of this Act", said Act being known as the "Alabama Liquefield Petroleum Gas Act".

was taken up.

Mr. Locke (Perry) offered the following amendment to the Bill, to-wit:

Amend House Bill 896 by adding Section 4½ which said Section 4½ shall read as follows:

"Provided however this Act shall become effective on June 30, 1953."

On motion of Mr. Clayton, said amendment was laid on the table.

Yeas 16; Nays 12.



**Yeas:**

Messrs.:	Farmer	Jones	Pinson	
Boutwell	Faulkner	Larkins	Skidmore	
Byars	High	McCary	Whatley	
Eddins	Hollis	Phillips	Wright	
Fant				—16

**Nays:**

Messrs.:	Johnston (Mobile)	Quarles	Smith	
Andrews	Locke (Choctaw)	Reneau	Sollie	
Bonner	Locke (Perry)	Robison	Thagard	
Johnson (Chambers)				—12

**PAIR ANNOUNCED**

Mr. Clayton announced that he was paired with Mr. Richardson on this vote, that Mr. Richardson, if present, would vote "Nay", and he, Mr. Clayton, would vote "Yea".

Mr. Johnson (Chambers) offered the following amendment to the Bill, to-wit:

**AMENDMENT TO HOUSE BILL 896**

Amend House Bill 896 by striking therefrom the last paragraph thereof which begins "Section 4.," and inserting in lieu thereof the following:

"Section 4. COMPENSATION AND EXPENSES OF COMMISSION. For the extra, new and additional duties imposed upon each member of the Commission by this Act, and for the performance of duties which are and will be hereafter required of said Commission and the members thereof hereunder, each member of the Commission, in addition to any compensation otherwise provided by law to be paid to him, shall receive Twenty-five Hundred (\$2,500.00) Dollars annually, which shall be paid each year in twenty-four equal semi-monthly payments out of the funds collected pursuant to the provisions of this Act, and each member of the Commission shall be reimbursed for his necessary expenses incurred in the performance of his duties as a member of the Commission, but no member of the Commission shall operate or have assigned for his use any state-owned motor vehicle. It is expressly provided, however, that no part of such compensation or expenses shall be paid otherwise than from funds collected pursuant to the provisions of this Act."

On motion of Mr. Clayton, said amendment was laid on the table.

Yeas 15; Nays 13.

**Yeas:**

Messrs.:	Fant	Hollis	Phillips	
Boutwell	Farmer	Jones	Pinson	
Byars	Faulkner	Larkins	Skidmore	
Eddins	High	McCary	Wright	
				—15

**Nays:**

Messrs.:	Johnston (Mobile)	Reneau	Sollie	
Andrews	Locke (Choctaw)	Robison	Thagard	
Bonner	Locke (Perry)	Smith	Whatley	
Johnson (Chambers)	Quarles			—13

## PAIR ANNOUNCED

Mr. Clayton announced that he was paired with Mr. Richardson on this vote, that Mr. Richardson, if present, would vote "Nay", and he, Mr. Clayton, would vote "Yea".

Mr. Reneau offered the following amendment to the Bill, to-wit:

Amend H. B. 896 by striking the following from Section 4:

"and each member of the Commission shall be reimbursed for his necessary expenses incurred in the performance of his duties as a member of the Commission."

On motion of Mr. Boutwell, said amendment was laid on the table.

Yeas 16; Nays 13.

## Yeas:

<b>Messrs.:</b>	<b>Faulkner</b>	<b>Larkins</b>	<b>Pinson</b>	
Boutwell	High	McCary	Skidmore	
Byars	Hollis	Norrell	Whatley	
Eddins	Jones	Phillips	Wright	
Farmer				—16

## Nays:

<b>Messrs.:</b>	<b>Johnson (Chambers)</b>	<b>Quarles</b>	<b>Smith</b>	
Andrews	Johnston (Mobile)	Reneau	Sollie	
Bonner	Locke (Choctaw)	Robison	Thagard	
Fant	Locke (Perry)			—13

## PAIR ANNOUNCED

Mr. Clayton announced that he was paired with Mr. Richardson on this vote, that Mr. Richardson, if present, would vote "Nay", and he, Mr. Clayton, would vote "Yea".

And said Bill was then read a third time at length and passed.

Yeas 18; Nays 10.

## Yeas:

<b>Messrs.:</b>	<b>Fant</b>	<b>Jones</b>	<b>Pinson</b>	
Andrews	Farmer	Larkins	Skidmore	
Boutwell	Faulkner	McCary	Whatley	
Byars	High	Norrell	Wright	
Eddins	Hollis	Phillips		—18

## Nays:

<b>Messrs.:</b>	<b>Johnston (Mobile)</b>	<b>Quarles</b>	<b>Sollie</b>	
Bonner	Locke (Choctaw)	Reneau	Thagard	
Johnson (Chambers)	Locke (Perry)	Robison		—10

## PAIR ANNOUNCED

Mr. Clayton announced that he was paired with Mr. Richardson on this vote, that Mr. Richardson, if present, would vote "Nay", and he, Mr. Clayton, would vote "Yea".

Mr. Clayton moved that the Senate reconsider the vote by which it passed the Bill, H. B. 896, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 17; Nays 7.

**Yeas:**

<b>Messrs.:</b>	<b>Farmer</b>	<b>Larkins</b>	<b>Pinson</b>	
Boutwell	Faulkner	McCary	Skidmore	
Byars	High	Norrell	Whatley	
Eddins	Hollis	Phillips	Wright	
Fant	Jones			—17

**Nays:**

<b>Messrs.:</b>	<b>Johnson (Chambers)</b>	<b>Quarles</b>	<b>Robison</b>	
Bonner	Johnston (Mobile)	keneau	Thagard	—7

**PAIR ANNOUNCED**

Mr. Clayton announced that he was paired with Mr. Richardson on this vote, that Mr. Richardson, if present, would vote "Nay", and he, Mr. Clayton, would vote "Yea".

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Dawkins:

H. J. R. 136. Be it resolved by the House, the Senate Concurring that H. Bills 531, 532, 533, 534, 535, 536 and 537 which passed both Houses of this Legislature be known as the Dawkins and Skidmore bills.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

**HOUSE MESSAGE**

On motion of Mr. Clayton, the Rules were suspended, and the Resolution H. J. R. 136, set out in the foregoing Message from the House, was adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate bills:

S. 313. To provide that in all general, special, primary and municipal elections, it shall be the duty of the election officials to attach to the outside of each ballot box, used in such elections, a piece of paper showing the total votes received by each candidate in such election.

Also:

S. 154. To amend Section 90, Title 8, Code of Alabama 1940, relating to the penalty for killing wild turkey hens, does and unantlered male deer.

Also:

S. 518. To amend Section 47 of Title 58 of the 1940 Code of Alabama which relates to the investments of trust funds by fiduciaries.

Also:

S. 583. To authorize and provide for the payment of the sum of \$216.86 for the relief of Joel M. Ragland, who was seriously injured while

employed by the State of Alabama in the line and scope of his employment.

Also:

S. 33. To define the liability on policies indemnifying the insured against loss from fire or other casualty on residences or other buildings where the title to said property is owned by tenants in common or by joint tenants with or without right of survivorship, if said joint tenants or tenants in common be husband and wife, where the policy is written in the name of less than all of the joint owners of said property.

Also:

S. 342. To repeal an act entitled "An Act to appropriate \$5,000.00 out of the general fund to the Attorney General in his capacity as Securities Commissioner of Alabama", approved July 9, 1943.

Also:

S. 24. To provide for the issuance of specially marked license tags for motor vehicles owned and used by the State and the several counties and municipalities thereof, and providing that any person operating such a motor vehicle with an improper tag thereon shall be guilty of a misdemeanor; repealing conflicting laws.

Also:

S. 663. Relating to state government administration; providing for and establishing a state employees' suggestion system; making appropriations to carry out the purposes of the Act.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Andrews:

S. J. R. 97. Relative to the naming of Senate Bill 125 the Andrews-Fite (Marion)-Wallace Bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

By Mr. Andrews:

S. J. R. 96. Relative to the naming of House Bill 733 the Wallace-Harrison (Shelby), Hawkins (Etowah), Fite (Marion), Andrews, Thagard, Robison Bill.

By Mr. Reneau:

S. J. R. 99. Relative to the naming of Senate Bill No. 611 the Whatley-Ward Bill.

By Mr. Larkins:

S. J. R. 100. Relative to the naming of Senate Bills 379, 380 and 381 the Thagard, Reneau, Miller and Johnson (Tallapoosa) Bill.

By Mr. Larkins:

S. J. R. 101. Relative to the naming of Senate Bills 382, 383, 399 and 400 the Reneau, Thagard, Miller, Adams (Tallapoosa) and Bush Bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills:

S. 291. To make it unlawful for any person who is or has been actually or reputedly engaged in or connected with the setting up, conducting or operation of a lottery or policy game, or who has been or bears the reputation of having been, an employee or associate of a person or persons who are known or commonly reputed to have been engaged in setting up, conducting, or operating a lottery or policy game, to possess any slip, ticket, card, paper, writing, article, thing or other device or paraphernalia, which is customarily or usually used in the operation of a lottery or policy game, and to provide minimum and maximum punishments upon first, second and subsequent convictions for violations thereof, and to fix rules of evidence in the courts in prosecutions for such violations.

Also:

S. 290. To make it unlawful for any person who is or has been actually or reputedly engaged in or connected with the setting up, conducting or operation of any lottery or policy game, or who has been or bears the reputation of having been, an employee or associate of a person or persons who are known or commonly reputed to have been engaged in setting up, conducting or operation of any lottery or policy game, to transport or convey within the State of Alabama any slip, ticket, card, paper, writing, article, thing, or other device or paraphernalia, which is customarily or usually used in the operation of a lottery or policy game, and to provide for the seizure, forfeiture, and condemnation of any conveyance or vehicle of transportation of any kind which is used by any such person for the transportation or conveyance of, or within which there is contained or found, within Alabama any such slip, ticket, card, paper, writing, article, thing, or other device or paraphernalia, which is customarily or usually used in the operation of a lottery, policy game or other game of chance of any sort or kind: and to fix rules of evidence in court proceedings brought to effect such forfeiture and condemnation of such conveyances or vehicles.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 291, the title of which is set out in the foregoing Message from the House:

## SUBSTITUTE FOR S. B. 291

A BILL  
TO BE ENTITLED  
AN ACT

To make it unlawful for any person who is or has been actually engaged in or connected with the setting up, conducting or operation of any form or type of lottery commonly known as a numbers (or number) game or policy game, or who is or has been an employee of a person or persons who are or have been engaged in setting up, conducting, or operating any such game or games, to possess any slip, ticket, card, paper, writing, article, thing or other device or paraphernalia, which is customarily or usually used in the operation of any such game or games, and to provide minimum and maximum punishments upon first, second and subsequent convictions for violations thereof, and to fix rules of evidence in the courts in prosecutions for such violations.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who is or has been within three years next preceding actually engaged in or connected with the setting up, conducting or operation of any form or type of lottery commonly known as a numbers (or number) game or policy game, or who is or has been an employee of a person or persons who are or have been within three years next preceding engaged in setting up, conducting, or operating any such game or games and who possesses within the State of Alabama any slip, ticket, card, paper, writing, article, thing, or other device or paraphernalia, which is customarily or usually used in the operation of any such game or games, (herein called "lottery paraphernalia") shall, on the first conviction, be punished by a fine of not less than \$100.00 nor more than \$500.00 and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than twelve months; and on the second or any subsequent conviction shall be fined not less than \$100.00 nor more than \$1,000.00, and shall also be imprisoned in the county jail or sentenced to hard labor for the county, for not less than six months nor more than twelve months. To constitute the offense created by this section it shall not be necessary that such lottery paraphernalia be actually used, or actually be in use or is actually to be used in the operation of such games. It shall not be a defense to the charge of possessing such lottery paraphernalia that it has not actually been used or was not then being used, or was not intended to be used in the operation or in connection with the operation of any such game. Expert testimony shall be admissible to show that such lottery paraphernalia was customarily and usually used in the operation of such a numbers (or number) game or policy game, and expert testimony shall also be admissible to show the contrary.

Section 2. The provisions of this Act shall not be construed to make unlawful the possession of articles or paraphernalia not commonly used in the conduct of any such numbers (or number) game or policy game.

Section 3. If any section, clause, provision, or portion of this Act shall be held to be invalid by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Act which is not in and of itself unconstitutional.

Section 4. This Act shall become effective upon passage.

Yeas 23; Nay 1.

Yeas:

Messrs.:  
Andrews

Boutwell  
Byars

Eddins  
Fant

Farmer  
High

Johnson (Chambers)	Locke (Perry)	Pinson	Sollie
Johnston (Mobile)	McCary	Reneau	Thagard
Larkins	Norrell	Robison	Whately
Locke (Checlaw)	Phillips	Skidmore	Wright

—23

Nay: Mr. Jones

—1

## HOUSE MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 290, the title of which is set out in the foregoing Message from the House:

## SUBSTITUTE FOR S. B. 290

A BILL  
TO BE ENTITLED  
AN ACT

To make it unlawful for any person who is or has been actually engaged in or connected with the setting up, conducting or operation of any form or type of lottery commonly known as a numbers (or number) game or policy game, or who is or has been an employee of a person or persons who are or have been engaged in setting up, conducting or operation of any such game to transport or convey within the State of Alabama any slip, ticket, card, paper, writing, article, thing, or other device or paraphernalia, which is customarily or usually used in the operation of any such game, and to provide for the seizure, forfeiture, and condemnation of any conveyance or vehicle of transportation of any kind which is used by any such person for the transportation or conveyance of, or within which there is contained or found within Alabama any such slip, ticket, card, paper, writing, article, thing, or other device or paraphernalia, which is customarily or usually used in the operation of any such game and to fix rules of evidence in court proceedings brought to effect such forfeiture and condemnation of such conveyances or vehicles.

Be It Enacted by the Legislature of Alabama:

Section 1. Any transportation or conveyance within this state, of any slip, ticket, card, paper, writing, article, thing, or other device or paraphernalia, which is customarily or usually used in the operation of a form or type of lottery commonly known as a numbers (or number) game or policy game (herein called "lottery paraphernalia") or any possession thereof in any vehicle of transportation by any person who is or has been within three years, next preceding actually engaged in or connected with the setting up, conducting or operation of any such game, or who is or has been within three years, next preceding an employee of a person or persons who are or have been engaged in setting up, conducting or operation of any such game, is hereby declared to be a misdemeanor; and all conveyances or vehicles of transportation which have been within three years next preceding or are used by such persons for the conveying or transporting of such prohibited lottery paraphernalia into this state or from one point in the state to another point within the state, or in which conveyance any such lottery paraphernalia may be contained or found while such conveyance is in the custody or control of such person, shall be contraband and shall be forfeited to the State of Alabama, and shall be seized by any sheriff or other person acting under authority of the law in the enforcement of the laws of this state, who becomes cognizant of the facts or who finds such prohibited lottery paraphernalia being transported, stored or contained as aforesaid in such conveyance or vehicle, And such officer or person shall report the seizure and the facts connected therewith to a solicitor or any prosecuting official in the county where seizure is made, or, in default thereof, to the attorney general

of the state, giving full description of the vehicle or conveyance seized and detained, the person in whose possession it was found, the person making a claim to the same, or any interest therein, if the name can be ascertained or is known, and the date of seizure.

Section 2. In order to condemn and confiscate any of the above mentioned conveyances or vehicles, it shall not be necessary for the state or prosecuting authority to show any actual movement of said conveyances or vehicles while loaded with, or in which there is contained or stored, any of said prohibited lottery paraphernalia, but the presence thereof in any conveyance or vehicle which is in the use of, control or custody of any such person as described in Section 1 hereof shall be sufficient cause of forfeiture of such conveyance or vehicle.

Section 3. Except as otherwise herein provided, the manner, method, and procedure for the forfeiture and condemnation of any such vehicle shall be the same as that provided by law for the confiscation or condemnation or forfeiture of automobiles, conveyances, or vehicles in which alcoholic beverages are illegally transported. Without limiting the generality of the foregoing sentence, Sections 248 and 249 of Title 29 of the Alabama Code of 1940 shall apply.

Section 4. The court in condemnation proceedings shall sell the right of all interested persons in and to said conveyance or vehicle, who aided or assisted any such person as described in Section 1 hereof in the illegal transportation or who had knowledge or notice thereof, or who had knowledge of the presence thereof in said vehicle or conveyance, or who could by reasonable diligence have obtained knowledge or notice thereof. Any bona fide bailor or conditional vendor or chattel mortgagee who shall, prior to bailing, selling, or accepting a mortgage upon such conveyance or vehicle, make inquiry of the sheriff and chief of police of the county and city of the residence of such bailee, vendee or mortgagor and of the sheriff and chief of police of the county and city of the place of business of the bailor, vendor, or mortgagee, or of any recognized or licensed agency which makes a systematic check of court records of convictions for violations of the law and furnishes credit reports, and in answer to such inquiry shall be informed in writing that the prospective bailee, conditional vendee or mortgagor has no reputation as a person who has been engaged in operating or connected with lotteries, gambling or gaming, and that such person has not according to their records been convicted of a violation of any of the laws of this state, any other state, or any municipal ordinance relating to gaming, gambling or lotteries, shall be presumed to be entitled to such conveyance or vehicle or to be protected to the extent of his interest therein.

Section 5. The proceeds of the sale of any such vehicle or conveyance forfeited to the state, shall, after paying all expenses in the cause, including the costs of seizure and of keeping a property pending the proceedings, be applied as follows: One-half shall be paid into the general fund of the county in which the property is seized, and the other one-half shall be paid into the law enforcement fund to be used and applied on the enforcement of state laws under the supervision and control of the governor; but provided however, that when such property shall be seized by an officer of a municipality one-half thereof shall be paid into the general fund of the municipality, one-quarter thereof shall be paid into the general fund of the county, and the other one-quarter shall be paid into the law enforcement fund to be used and applied on the enforcement of state laws under the supervision and control of the governor.

Section 6. If any section, clause, provision, or portion of this Act shall be held to be invalid by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Act which is not in and of itself unconstitutional.



Section 7. The provisions of this Act shall not be construed to make unlawful the transportation of articles or paraphernalia not commonly used in the conduct of any form or type of lottery commonly known as a numbers (or number) game or policy game, and no vehicle used in transporting such articles or paraphernalia not commonly used in the conduct of such game shall be subject to condemnation or forfeiture by reason of such use or transportation.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Faulkner	Locke (Perry)	Robison
Andrews	High	McCary	Skidmore
Boutwell	Hollis	Norrell	Sollie
Byars	Johnson (Chambers)	Phillips	Thagard
Clayton	Johnston (Mobile)	Pinson	Whatley
Eddins	Larkins	Reneau	Wright
Fant	Locke (Choctaw)		

—25

Nay: Mr. Jones —1

At 6:00 P. M., Mr. Johnston (Mobile) moved that the Senate adjourn until 10 o'clock A. M. Thursday, September 6, 1951, which motion was lost.

Yeas 10; Nays 19.

Yeas:

Messrs.:	Johnson (Chambers)	Locke (Perry)	Robison
Andrews	Johnston (Mobile)	Quarles	Sollie
Bonner	Locke (Choctaw)	Reneau	

—10

Nays:

Messrs.:	Fant	Jones	Pinson
Boutwell	Farmer	Larkins	Skidmore
Byars	Faulkner	McCary	Thagard
Clayton	High	Norrell	Whatley
Eddins	Hollis	Phillips	Wright

—19

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. McCary, further consideration of the Bill, H. B. 1058, was indefinitely postponed by the Senate.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 996. To impose extra, new, and additional duties upon the circuit solicitors of the State of Alabama; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; and to provide for the payment of such additional compensation out of the General Fund of the State of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 4.

Yeas:

Messrs.:	Byars	Fant	High
Andrews	Clayton	Farmer	Hollis
Boutwell	Eddins	Faulkner	Johnson (Chambers)

Jones	Norrell	Robison	Whatley	
Larkins	Phillips	Skidmore	Wright	
McCary	Pinson			—21

Nays:

Messrs.:	Johnston ( <i>Mobile</i> )	Quarles	Thagard	
Bonner				—4

#### PAIR ANNOUNCED

Mr. Reneau announced that he was paired with Mr. Richardson on this vote, that Mr. Richardson, if present, would vote "Yea", and he, Mr. Reneau, would vote "Nay".

The Bill:

H. 444. To amend Section 107 of Title 22 of the Code of Alabama of 1940; to amend Section 110 of Title 22 of the Code of Alabama of 1940, as amended by Act No. 429 of the Legislature of 1943, approved July 8, 1943, as further amended by Act No. 195 of the Legislature of 1945, approved June 23, 1945; to amend Sections 111 and 113 of Title 22, of the Code of Alabama of 1940, as amended by Act No. 195 of the Legislature of 1945, approved June 23, 1945; and to amend Section 115 of Title 22 of the Code of Alabama of 1940, all of which relate to the inoculation of dogs against rabies.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Reneau	
Boutwell	Faulkner	McCary	Robison	
Byars	High	Norrell	Skidmore	
Clayton	Hollis	Phillips	Whatley	
Eddins	Johnson ( <i>Chambers</i> )	Pinson	Wright	
Fant	Jones	Quarles		—22

Nays:

—0

The Bill:

H. 167. To fix the salary of judges of the circuit court.

Was read a third time at length and passed.

Yeas 21; Nays 4.

Yeas:

Messrs.:	Fant	Larkins	Robison	
Andrews	Farmer	McCary	Skidmore	
Boutwell	Faulkner	Norrell	Thagard	
Byars	High	Phillips	Whatley	
Clayton	Hollis	Pinson	Wright	
Eddins	Johnson ( <i>Chambers</i> )			—21

Nays:

Messrs.:	Jones	Quarles	Reneau	
Johnston ( <i>Mobile</i> )				—4

At 6:30 P. M., Mr. Norrell moved that the Senate do now adjourn until Thursday, September 6, 1951, at 10 o'clock A. M., which motion was lost.

Yeas 10; Nays 13.

Yeas:

Messrs.:	Fant	Norrell	Robison	
Andrews	Johnson (Chambers)	Quarles	Whatley	
Eddins	Johnston (Mobile)	Reneau		—10

Nays:

Messrs.:	Farmer	McCary	Skidmore	
Boutwell	Faulkner	Phillips	Thagard	
Byars	Jones	Pinson	Wright	
Clayton	Larkins			—13

### BILLS ON THIRD READING RESUMED

The Bill:

H. 426. To amend Section 63 of Title 36 of the Code of Alabama (1940), relating to driver's licenses.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Robison	
Boutwell	Faulkner	Larkins	Skidmore	
Byars	High	McCary	Thagard	
Clayton	Hollis	Phillips	Whatley	
Eddins	Johnson (Chambers)	Pinson	Wright	
Fant	Johnston (Mobile)	Reneau		—22

Nays:

—0

The Bill:

H. 248. To amend Act No. 173, H. 311, approved June 23, 1945, which established the State Department of Veterans' Affairs (Acts, 1945, pp. 304-312).

Was read a third time at length and passed.

Yeas 20; Nays 2.

Yeas:

Messrs.:	Farmer	Jones	Robison	
Boutwell	Faulkner	Larkins	Skidmore	
Byars	High	McCary	Thagard	
Clayton	Hollis	Phillips	Whatley	
Eddins	Johnson (Chambers)	Pinson	Wright	
Fant				—20

Nays: Messrs.: Quarles and Reneau

—2

The Bill:

H. 249. To impose extra, new, and additional duties upon the State Service Commissioner, Department of Veterans' Affairs, and to provide additional compensation for the performance of such duties.

Was read a third time at length and passed.

Yeas 20; Nays 2.

Yeas:

Messrs.:	Farmer	Jones	Robison
Boutwell	Faulkner	Larkins	Skidmore
Byars	High	McCary	Thagard
Clayton	Hollis	Phillips	Whatley
Eddins	Johnson (Chambers)	Pinson	Wright
Fant			

—20

Nays: Messrs.: Quarles and Reneau

—2

The Bill:

H. 7. To provide for the payment of a recording privilege tax on the presentation for record of certain transfers of instruments securing debt originally executed to corporations or organizations exempt from such tax, and to provide exemption from any further recording privilege tax and from ad valorem tax.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Reneau
Boutwell	Faulkner	Larkins	Robison
Byars	High	McCary	Skidmore
Clayton	Hollis	Phillips	Thagard
Eddins	Johnson (Chambers)	Pinson	Wright
Fant	Johnston (Mobile)		

—21

Nays:

—0

## RESOLUTIONS

Mr. Reneau offered the following Senate Joint Resolution, to-wit:

S. J. R. 102. Be it resolved by the Senate, the House of Representatives concurring, that Senate Bill 33, which has passed both Houses, be known and be designated as the Reneau, Adams (Tallapoosa), Romine Bill".

And the Rules were suspended and the Resolution adopted by the Senate.

Mr. Larkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 103. BE IT RESOLVED by the Senate, the House concurring, that Senate Bill 650 be known as the Larkins-Stokes Bill.

On motion of Mr. Larkins, the rules were suspended and the Resolution was adopted by the Senate.

Mr. Larkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 104. Be it resolved by the Senate, the House concurring, that Senate Bill 672 be known as the Larkins-Stokes Bill.

On motion of Mr. Larkins, the rules were suspended and the Resolution was adopted by the Senate.

## REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to

report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

### COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the Thirty-fifth Legislative Day approved by the Senate.

### ADJOURNMENT

At 7 o'clock P. M., on motion of Mr. Johnston (Mobile) and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Thursday, September 6, 1951, at 10 o'clock A. M.

Yeas 13; Nays 9.

Yeas:

Messrs.:	Farmer	Pinson	Robison	
Andrews	High	Quarles	Skidmore	
Eddins	Johnson (Chambers)	Reneau	Thagard	
Fant	Johnston (Mobile)			—13

Nays:

Messrs.:	Clayton	Jones	McCary	
Boutwell	Faulkner	Larkins	Phillips	
Byars	Hollis			—9

### THIRTY-SIXTH LEGISLATIVE DAY

THURSDAY, SEPTEMBER 6, 1951

The Senate met pursuant to adjournment, Lieutenant-Governor Allen presiding.

### PRAYER

The Session was opened with prayer by Mr. James M. Gurley, Minister, Capitol Heights Church of Christ.

### ROLL CALL

Present:

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright

—35

### JOURNAL

On motion of Mr. Thagard, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Bills and Resolutions with the Engrossed and Original Bills and Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 23. To amend Title 51, Section 410, Code of Alabama 1940, to provide for the General Revenue; and to further provide that applications for refund where income taxes have been paid through mistake or error shall be made within three years from date of payment, to apply to payments made on or after January 1, 1951; and to also amend Title 51, Section 412, Code of Alabama 1940, to provide for the General Revenue; and to provide that the amount of income taxes imposed by this Title shall be assessed within three years after the return was filed; and by providing that the State Department of Revenue may assess and institute proceedings for the collection of the income taxes so imposed, at any time within five years from the date of the filing of an income tax return with the State of Alabama if the taxpayer has omitted from the gross income, as defined in Section 384 of said Title, an amount in excess of twenty-five per centum (25%) of the amount of gross income as reported in said return, to apply to income tax returns for the taxable years beginning on or after January 1, 1951; and to provide that this Act shall become effective January 1, 1951 for the taxable years beginning on or after January 1, 1951.

Also:

S. 24. To provide for the issuance of specially marked license tags for motor vehicles owned and used by the State and the several counties and municipalities thereof, and providing that any person operating such a motor vehicle with an improper tag thereon shall be guilty of a misdemeanor; repealing conflicting laws.

Also:

S. 33. To define the liability on policies indemnifying the insured against loss from fire or other casualty on residences or other buildings where the title to said property is owned by tenants in common or by joint tenants with or without right of survivorship, if said joint tenants or tenants in common be husband and wife, where the policy is written in the name of less than all of the joint owners of said property.

Also:

S. 112. To repeal Section 14 of Act No. 412, approved July 7, 1945, entitled "An Act To provide for the adoption, selection, purchase, and distribution of textbooks to be used in the tax-supported public schools of Alabama; to provide for, to define the duties of, and to limit the expenditures of a State Textbook Committee; to authorize the staggering of the adoption of textbooks in order that expenditures therefor may be equalized from year to year in so far as practicable; to provide for the adoption, purchase, distribution, and administration of state-owned textbooks by the State Board of Education; to provide for penalties for violation of certain terms of this act; and to repeal Sections 19 and 409 to 431, inclusive, Title 52, Code of Alabama 1940, and Sections 432 and 433, Title 52, Code of Alabama 1940 as amended by Act No. 313, approved June 28, 1943."

Also:

S. 130. To amend Title 46, Sections 30 and 32, of the Code of Alabama, 1940, which relate to the Alabama State Bar.

Also:

S. 154. To amend Section 90, Title 8, Code of Alabama 1940, relating to the penalty for killing wild turkey hens, does and unantlered male deer.

Also:

S. 170. To amend Section 7 of Act No. 2, approved May 10, 1945, which relates to cost of collection expense.

Also:

S. 173. To provide that the withdrawal or expenditure of any funds in the State Treasury to the credit of the Agricultural Fund provided for in Title 2, Article 3 of the Code of Alabama of 1940, for the payment of salaries, expenses, equipment, operational costs or maintenance, or for any reason whatsoever, shall be pursuant to budget and allotment as is provided in Title 55, Chapter 4, Article 3 of the Code of Alabama of 1940, and limited to the amounts provided therefor by the Legislature in the general appropriation bill. Any unappropriated funds remaining in the Agricultural Fund or any unexpended funds remaining in the appropriation to the Department of Agriculture by the Legislature at the end of each fiscal year shall be carried in the State Treasury in the Agricultural Fund.

Also:

S. 174. To amend Title 51, Section 784 of the Code of Alabama 1940, as amended by Act No. 82, approved June 2, 1943, which relates to cost of collection expense.

Also:

S. 175. To amend Title 28, Section 325, of the Code of Alabama 1940, as amended by Act No. 675, approved September 19, 1949, which relates to expenditures from State Insurance Fund.

Also:

S. 176. To provide that the distributions, expenditures, withdrawals, and disbursements of funds by the State Department of Aeronautics shall be only in the amounts and for the purposes as provided in the general appropriation bill; and to repeal all laws or parts of laws in conflict herewith.

Also:

S. 177. To amend Section 13 of Act No. 590, approved June 27, 1940, (1939 General Acts of Alabama, page 958) entitled "An Act to impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto," which relates to cost of collection expenses.

Also:

S. 178. To amend Title 51, Section 429 of the Code of Alabama 1940, as amended by Act No. 547, approved July 10, 1943, which relates to cost of collection expense.

Also:

S. 179. To amend Title 51, Section 808 of the Code of Alabama 1940, which relates to cost of collection expense.

Also:

S. 180. To amend Title 51, Sections 715 and 717, of the Code of Alabama 1940 which relate to cost of collection expense.

Also:

S. 182. To amend Section 3 of Act No. 230, approved July 9, 1945, entitled "An Act To create within the Department of Conservation a fund to be known as the Game, Fish and Seafoods Fund, and to provide for the administration, disbursement, and use of said fund by the Director of Conservation".

Also:

S. 183. To amend Section 10 of Act No. 341, approved July 9, 1945, entitled "An Act To provide for the Office of Land Agent within the Department of Conservation and to define the Departments powers and duties with respect to lands owned by the State of Alabama or any department or institution thereof: to provide that each State department or institution of the State of Alabama owning, controlling or managing any State or departmental lands shall file with the Department of Conservation a list of lands which it owns or in which any interest is claimed, to define the meaning of the terms "used Lands" and "unused land"; to provide that such list shall describe such lands by numbering or other adequate description and classify the same as "used land" or "unused land", the manner in which title to the lands was acquired, the character of title and the use for which such lands are chiefly valuable, and the use to which said lands is being put; to provide for the preservation of such list; to provide for the compilation of a record of the ownership of all lands held in trust by any institution or department of the State of Alabama; to provide for the mapping, surveying, cruising, developing, and disposal of lands; to provide for the filing of a copy of all instruments by which the State or any institution disposes of or acquires lands; to provide for the recordation on county records of the State's ownership of lands; to provide for the disposition of any revenue from unused lands; to provide funds for administering this act".

Also:

S. 184. To amend Title 8, Section 183, of the Code of Alabama of 1940, as amended by Act No. 228, approved July 9, 1945, which relates to State Park Fund.

Also:

S. 185. To amend Title 8, Section 202, of the Code of Alabama of 1940, as amended by Act No. 227, approved July 9, 1945, which relates to State Forestry Fund.

Also:

S. 188. To amend Title 51, Section 441, of the Code of Alabama 1940, which relates to cost of collection expenses.

Also:

S. 190. To amend Title 51, Section 424 of the Code of Alabama 1940 which relates to cost of collection expense.



Also:

S. 191. To amend Section 5 of Act No. 169, approved June 23, 1945 (General Acts of Alabama 1945, page 285) entitled "An Act to provide further for conservation of the natural resources of the State by protection of forest products and development of the forestry program; to levy a privilege tax, to be known as The Forest Products Severance Tax, upon every person engaging in the business of severing timber or other forest products from the soil; to fix liability for, and prescribe methods of collecting and enforcing payment of such tax; to require records and reports; to provide for the assessment of the tax and appeals therefrom and exempting certain owners; to require reports from manufacturers, producers and transporters; to define terms and fix penalties for violation; to make appropriation of the proceeds of said tax.

Also:

S. 192. To amend Title 51, Section 739, of the Code of Alabama 1940, which relates to cost of collection expenses.

Also:

S. 193. To amend Title 46, Section 300 of the Code of Alabama 1940 which relates to funds of Alabama Real Estate Commission.

Also:

S. 194. To amend Title 51, Section 629 of the Code of Alabama 1940, as amended by Act No. 430, approved July 6, 1945, which relates to cost of collection expense.

Also:

S. 195. To amend Title 51, Section 632 of the Code of Alabama of 1940, as amended by Act No. 342, approved July 1, 1943, which provides for the disbursement of the tax collection under and pursuant to Section 631 of said Title, and to provide for the effective date of this Act.

Also:

S. 196. To amend Title 46, Sections 316 and 329 of the Code of Alabama 1940 which relate to funds of the State Board of Veterinary Medical Examiners.

Also:

S. 200. To amend Title 46, Sections 68 and 71, of the Code of Alabama 1940, which relates to the State Licensing Board for General Contractors.

Also:

S. 202. To amend Title 46, Section 13 of the Code of Alabama of 1940, as amended by Act No. 226, approved June 22, 1943, which relates to receipts and disbursements of the State Board of Registration for Architects.

Also:

S. 254. To make appropriation to the office of secretary of state to be used in establishing and compiling an alphabetical list of corporations.

Also:

S. 255. To amend Section 12 of Title 10 of the Code of Alabama (1940) which relates to alphabetical list of corporations kept by secretary of state.

Also:

S. 290. To make it unlawful for any person who is or has been actually engaged in or connected with the setting up, conducting or operation of any form or type of lottery commonly known as a numbers (or number) game or policy game, or who is or has been an employee of a person or persons who are or have been engaged in setting up, conducting or operation of any such game to transport or convey within the State of Alabama any slip, ticket, card, paper, writing, article, thing, or other device or paraphernalia, which is customarily or usually used in the operation of any such game, and to provide for the seizure, forfeiture, and condemnation of any conveyance or vehicle of transportation of any kind which is used by any such person for the transportation or conveyance of, or within which there is contained or found within Alabama any such slip, ticket, card, paper, writing, article, thing, or other device or paraphernalia, which is customarily or usually used in the operation of any such game and to fix rules of evidence in court proceedings brought to effect such forfeiture and condemnation of such conveyances or vehicles.

Also:

S. 291. To make it unlawful for any person who is or has been actually engaged in or connected with the setting up, conducting or operation of any form or type of lottery commonly known as a numbers (or number) game or policy game, or who is or has been an employee of a person or persons who are or have been engaged in setting up, conducting, or operating any such game or games, to possess any slip, ticket, card, paper, writing, article, thing or other device or paraphernalia, which is customarily or usually used in the operation of any such game or games, and to provide minimum and maximum punishments upon first, second and subsequent convictions for violations thereof, and to fix rules of evidence in the courts in prosecutions for such violations.

Also:

S. 311. To amend Title 51, Section 646, of the Code of Alabama 1940, which relates to gasoline and other motor fuels.

Also:

S. 313. To provide that in all general, special, primary and municipal elections, it shall be the duty of the election officials to attach to the outside of each ballot box, used in such elections, a piece of paper showing the total votes received by each candidate in such election.

Also:

S. 332. To define a "Motor Bus" and to provide a maximum permissible length for any motor bus driven or operated upon the highways of Alabama and to repeal all laws in conflict herewith.

Also:

S. 342. To repeal an act entitled "An Act To appropriate \$5,000.00 out of the general fund to the Attorney General in his capacity as Securities Commissioner of Alabama", approved July 9, 1943.

Also:

S. 354. To amend Section 372, Title 15, Code of Alabama 1940:

Also:

S. 355. To provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for pardon unless his innocence of the crime for which he was convicted is proved to the satisfaction of the Board of Pardons and Paroles, and such board votes unanimously to grant such person a

pardon and the granting of the pardon is approved by the Governor; to provide that any person whose sentence to death has been commuted by the Governor to life imprisonment shall not thereafter be eligible for parole until such person shall have served at least fifteen years of such life sentence.

Also:

S. 358. To be designated as Section 419 (1) of Title 51, Code of Alabama 1940, to provide for the inspection of State Income Tax Returns by officials and duly authorized agents of the Federal Bureau of Internal Revenue, for the purpose of the administration and enforcement of the Federal Income Tax Law, subject to rules and regulations which are to be provided by the State Commissioner of Revenue.

Also:

S. 379. To amend Title 51, Section 651, Code of Alabama 1940, which relates to the keeping of records of sales, withdrawals and distributions by distributors, refiners, storers, or retail dealers of gasoline and other motor fuel.

Also:

S. 380. To amend Title 51, Section 636, Code of Alabama 1940, which relates to the keeping of records of sales of oils, greases or substitutes by distributors, manufacturers, storers, or retail dealers.

Also:

S. 381. To amend Title 51, Section 665(7), Code of Alabama 1940, as amended, which relates to the keeping of books showing sales, etc. to be kept for three years in lieu of the two year period as heretofore provided.

Also:

S. 382. To amend Title 51, Section 913, Code of Alabama 1940, which relates to the refund on over-payment directly to the State Department of Revenue.

Also:

S. 383. To amend Title 51, Section 759, Code of Alabama 1940, which relates to the keeping of records for the purpose of the Sales Tax Act.

Also:

S. 385. To define and prohibit the unfair sales of cigarettes; and to provide remedies and set forth penalties for violations.

Also:

S. 392. To amend Section 3, Title 23, Code of Alabama (1940), which relates to the duties and powers of the State Highway Department.

Also:

S. 396. To amend Section 352 of Title 52 of the 1940 Code of Alabama which relates to continuing service status of teachers.

Also:

S. 399. To amend Title 51, Section 658, Code of Alabama 1940, as amended, which relates to the effect of acceptance of money on recovery of balance of excise tax due; and to further provide that petitions for refund shall be filed within three years from the date of the payment of any excess, and that all actions by the State for the recovery of addi-

tional amounts claimed as excise tax due under this Article shall be commenced within a period of three years; and to further provide that the limitation contained in this Section of three years, shall also apply to the tax levied on all other motor fuels included in Title 51, whether same be included under another Article or Section of Title 51, Code of Alabama 1940, or not.

Also:

S. 400. To amend Title 51, Section 640, Code of Alabama 1940, as amended, which relates to the effect of acceptance of money on recovery of balance of tax due; and to further provide that petitions for refund shall be filed within three years from the date of the payment of any excess, and that all actions by the State for the recovery of additional amounts claimed as excess due under this Article shall be commenced within a period of three years from the date the return was filed.

Also:

S. 435. To amend Article 2, Chapter 40, of Title 14 of the 1940 Code of Alabama, which relates to pistols.

Also:

S. 437. Relating to the Milk Control Board; amending Section 207 of Title 22, Code of Alabama (1940).

Also:

S. 452. To further regulate the taking of fish in the public waters of Alabama.

Also:

S. 474. To amend Section 712, Title 51, Code of Alabama 1940, as amended by Act No. 68, General Acts 1945, page 64, relating to the remittance of moneys and certification of lists of motor vehicles by judge of probate.

Also:

S. 475. To amend Section 847, Title 51, Code of Alabama 1940, relating to the remittance of moneys and certification of lists of licenses issued by judge of probate.

Also:

S. 476. Proposing an amendment to the Constitution of Alabama: to prohibit the Legislature and every county of the State from increasing or decreasing the salary, fees or compensation of any officer of the State or of any county of the State, who is elected or appointed for a fixed term, during the term for which he is elected or appointed, except as herein provided.

Also:

S. 479. TO amend the caption and Sections 3, 5, 6, 12, and 14 of the Farm to Market Road Act of 1943 (Act No. 329 adopted at the 1943 Regular Session of the Legislature), as heretofore amended, so as to eliminate all provisions pertaining to or restricting the source of the funds from which any county pays its share of the cost of constructing county roads under said act as amended; so as to eliminate all provisions therein respecting the setting aside by resolution of county funds from a specified source for the purposes of the said act, as amended; so as to provide that any anticipation of moneys for the purposes of said act, as amended, shall be governed by the applicable general law; so as to eliminate the provi-

sion permitting a county to contribute more than one-half the cost of constructing county roads under said act, as amended; so as to provide that the cost of constructing county roads under contracts hereafter made pursuant to said act, as amended, shall be computed on a negotiated unit price basis; so as to provide that counties may advance the share or contribution to be paid from the State County Aid Fund for any such road and may anticipate such contribution to the extent permitted by law; and so as to include provisions respecting the effect of non-performance by any county of an agreement for maintenance of roads constructed under said act, as amended.

Also:

S. 480. To authorize any county which has entered into a contract with the State Highway Department, pursuant to the provisions of the Farm to Market Road Act of 1943, as heretofore or hereafter amended, to anticipate by the sale and issuance of its interest bearing warrants the receipt of any moneys to be paid to such county under such contract; to provide that such warrants shall be payable solely from the moneys received by the county pursuant to such contract and, if the county so elects, also out of all or any part of such county's share of the state gasoline tax allocated to such county under Section 655 and Section 657, as amended, of Title 51 of the Code of Alabama of 1940; to provide that any two or more such contracts between a county and the State Highway Department may be treated as a unit for the purpose of the issuance of such warrants; to authorize the pledge, transfer and assignment for the benefit of such warrants of the moneys out of which they are payable; to provide that such warrants shall be issued only with the consent of the Director of the State Highway Department and that such consent shall be conclusive evidence of the validity of the contract or contracts with respect to which the consent is given and of compliance by the county with all conditions precedent to the payment of the state's contribution under such contract, except completion of any road construction at the time uncompleted; and to provide the purposes for which the proceeds from such warrants may be used.

Also:

S. 481. To fix the salaries of the second, third, fourth, fifth and sixth deputy circuit solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Also:

S. 488. To provide that any bank or trust company and any national banking association, and any branch or branches of any of them transacting business in this State may close on any one business day of each week, even though a legal holiday shall also occur in any such week, and to provide that any day which such institution may elect to close shall, with respect to such institution, be deemed a holiday for all purposes and not a business day, and that all acts omitted or done by such bank or trust company and/or national banking association and/or branches of any of them on such day shall have the same effect as if omitted or done on the next succeeding business day, and that any act authorized, required or permitted to be performed at or with respect to any such Bank or trust company and/or national banking association or any branch or branches of any of them on the day so fixed may be performed on the next succeeding business day and no liability or loss of rights of any kind shall result from such delay to any person, or to any bank, trust company, national banking association, or any branch or branches of any of them.

Also:

S. 489. To amend Section 184 of Title 39 of the Code of Alabama

(1940) which relates to legal holidays, and the due dates of commercial paper, and the time of doing of acts with respect to commercial paper.

Also:

S. 490. To amend Section 86 of Title 39 of the Code of Alabama (1940) which relates to presentment of negotiable paper and to the payment, certification or acceptance thereof.

Also:

S. 515. TO provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts, including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama:

Also:

S. 518. To amend Section 47 of Title 58 of the 1940 Code of Alabama which relates to the investments of trust funds by fiduciaries.

Also:

S. 530. To appropriate \$120,000 annually during the next two fiscal years to The Armory Commission of Alabama to be used in providing necessary armory facilities for Alabama National Guard units, including the matching of Federal funds made available to the State of Alabama for such purpose.

Also:

S. 531. To provide for the method of expending the appropriation made by subsection (19) of Section V in Act No. 386, H. B. 262, Regular Session, 1951.

Also:

S. 558. Relating to boards of trustees of electric cooperatives; amending Section 39, Title 18, Code of Alabama (1940).

Also:

S. 560. To provide an additional appropriation to the Department of Conservation, Division of State Lands.

Also:

S. 571. Creating the office of Deputy Circuit Solicitor in the Sixth Judicial Circuit; providing for his appointment, duties and compensation.

Also:

S. 576. To provide that persons employed in an administrative or research capacity by the Agricultural Experiment Station of the Alabama Polytechnic Institute may become members of the Teachers' Retirement System and shall receive all of the benefits provided for the teachers under the provisions of Chapter 14 of Title 52, Code of Alabama (1940); and to make an appropriation to carry out the provisions of this Act.

Also:

S. 583. To authorize and provide for the payment of the sum of \$216.86 for the relief of Joel M. Ragland, who was seriously injured while employed by the State of Alabama in the line and scope of his employment.

Also:

S. 596. Relating to insurers not authorized to transact business in this State; providing for actions in this state against and for the service of process upon such insurers; and prescribing how a defense may be made by such insurers.

Also:

S. 600. To provide for the approval by courts, without notice or publication or posting, of consent or agreed final settlements by and between guardians and their wards.

Also:

S. 601. To amend Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) entitled "An Act To regulate the business of lending money, and to require a license for those engaged in such business and to fix the amount thereof; to require licensees under this act to keep various records, and to create the Bureau of Loans in the Department of Commerce and to provide for the officers and employees thereof and their compensation, duties, and authority, and to entrust the administration of this act to said department, and to make an appropriation for the administration of this act; and to provide for the punishment for violation of this act, and in order to carry out the purposes of this act to regulate the practice and procedure with reference to suits on debts governed by this act, and to further provide for the practice and procedure with reference to the writ of garnishment," as amended.

Also:

S. 603. To amend Title 61, Section 301 of the 1940 Code of Alabama, as amended, entitled, "Settlement by Consent Without Notice."

Also:

S. 611. To appropriate twenty-five thousand dollars (\$25,000.00) for the fiscal year ending September 30, 1951 from the Special Educational Trust Fund to the Artificial Insemination Unit of the Alabama Polytechnic Institute.

Also:

S. 616. To provide for the establishment and administration of Retirement Systems for county employees in counties having a population of 400,000 or more according to the last or any future federal census, and for the payment of benefits to the employees of such counties.

Also:

S. 635. To make a conditional appropriation to the Department of Conservation, Division of State Parks, Monuments and Historical Sites.

Also:

S. 650. Relating to the municipality of Elba in Coffee County: To alter, re-arrange, and extend the boundaries and corporate limits of the municipality of Elba.

Also:

S. 662. To provide for and prescribe the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census.

Also:

S. 663. Relating to state government administration; providing for and establishing a state employees' suggestion system; making appropriations to carry out the purposes of the Act.

Also:

S. 672. To impose extra, new, and additional duties upon the members of the county governing body of any county of the State having a population of not less than thirty thousand (30,000) nor more than thirty-three thousand five hundred (33,500) inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Also:

S. J. R. 88. Relative to: A Joint Legislative Committee investigating conditions of Bryce Hospital and Partlow State School.

Also:

S. J. R. 93. Relative to: Naming of Senate Bill 668.

Also:

S. J. R. 94. Relative to: Naming of Senate Bill 60.

Also:

S. J. R. 95. Relative to: Naming of Senate Bill 78.

Also:

S. J. R. 96. Relative to: Naming House Bill 733.

Also:

S. J. R. 97. Relative to: Naming of Senate Bill 125.

Also:

S. J. R. 99. Relative to: Naming of Senate Bill No. 611.



Also:

S. J. R. 100. Relative to: Naming Senate Bills 379, 380, and 381.

Also:

S. J. R. 101. Relative to: Naming Senate Bills 382, 383, 399 and 400.

HERBERT B. BYARS,  
Chairman.

### SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

### POINT OF PERSONAL PRIVILEGE

Mr. Andrews offered the following statement as a point of personal privilege:

"On the 35th Legislative day I voted against the passage of House Bill 896 relating to Public Service Commission salaries and before the vote was announced it was evident that the bill would pass. For the purpose of moving for a reconsideration of the vote on the 36th Legislative day I changed my vote from "no" to "aye" and for no other purpose. This motion was made by Senator Clayton instead and tabled by the Senate on the 35th Legislative day thereby precluding me from making the motion I had intended to reconsider on the 36th Legislative day.

LAWRENCE K. ANDREWS."

The above statement relative to the passage of House Bill 896 was read and ordered spread upon the Journal.

### RESOLUTIONS

Mr. Phillips offered the following Senate Joint Resolution, to-wit:

S. J. R. 105. Be it resolved by the Senate, the House of Representatives concurring, that Senate Bill No. 530 be known and designated as the Phillips-Quarles Bill.

And on motion of Mr. Phillips, the Rules were suspended and the Resolution adopted by the Senate.

Messrs. Hollis and Jones offered the following Senate Joint Resolution, to-wit:

S. J. R. 106. BE IT RESOLVED by the Senate, the House concurring, that S. B. 580 which has passed both Houses be known and designated as the Hollis, Jones, Morgan of Jefferson, Scruggs and Summerlin Bill.

And on motion of Mr. Hollis, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Clayton offered the following Senate Joint Resolution, to-wit:

S. J. R. 107. Resolved by the Senate, the House of Representatives concurring, that Senate Bill 558 be designated as the Clayton, Sollie, Farmer, McNider and Adams (Dale) bill.

And on motion of Mr. Clayton, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Pinson offered the following Senate Joint Resolution, to-wit:

S. J. R. 108. Be it resolved by the Senate, the House concurring, that Senate Bill No. 534, which has passed both Houses, be known as the Pinson, Jones, Hollis, Faulkner, Benson, Andrews, Larkins, Golson, Farmer, Reneau, Locke, of Choctaw, McCary, Sollie, Foster, Johnson, of Chambers, Locke, of Perry, Skidmore, High, Fant, Norrell, Phillips, Whatley, Wright, Smith, Todd, Wallace, Merrill, Langdon, McCoy and Cole bill.

The Rules were suspended and the resolution adopted by the Senate.

#### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Dr. W. C. Holmes, as member of Gulf States Marine Fisheries Compact, for term expiring June 8, 1953.

And on motion of Mr. Faulkner, Dr. W. C. Holmes was confirmed by the Senate.

#### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Mrs. Ethel Salter Gayle—Montgomery—Chairman, term to begin September 16, 1951, and expiring June 30, 1957.

James N. Bloodworth—Decatur—Member, succeeding Mrs. Ethel Salter Gayle, resigned, for the term beginning September 16, 1951, and expiring June 30, 1953.

Neil O. Davis—Auburn—Member, succeeding himself, resigned, said term expiring June 30, 1955.

And on motion of Mr. Johnston (Mobile), the above were confirmed by the Senate as members of the State Board of Pardons and Paroles.

#### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 92. Resolved by the Senate as follows:

It is the sense of the Senate of Alabama that the long-standing rules governing our Alabama Democratic Primaries should be left unchanged in 1952, so that an open primary will be assured and voter-sovereignty will be unabridged.

Resolved further: That we respectfully recommend to the members of our State Democratic Executive Committee that the Alabama Democratic Primaries of 1952 be conducted in the usual open manner in order that complete freedom of choice shall be guaranteed to all members of the Democratic Party of Alabama.

Mr. Faulkner moved that further consideration of the Resolution be

indefinitely postponed, and on motion of Mr. Quarles the motion to indefinitely postpone was laid on the table.

Yeas 18; Nays 15.

*Yeas:*

Messrs.:	Clayton	Locke (Choctaw)	Sollie	
Andrews	Eddins	Locke (Perry)	Thagard	
Bonner	Golson	Pinson	Whatley	
Boutwell	Johnson (Chambers)	Quarles	Wright	
Byars	Johnston (Mobile)	Richardson		—18

*Nays:*

Messrs.:	Foster	Larkins	Robison	
Benson	High	McCary	Skidmore	
Fant	Hollis	Norrell	Smith	
Faulkner	Jones	Reneau	Todd	—15

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Rules Committee:

H. J. R. 137. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that His Excellency the Governor, be extended an invitation to address a joint session of the Legislature in the Hall of the House of Representatives today at 12 o'clock noon.

BE IT FURTHER RESOLVED that a committee consisting of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the presiding officer thereof, to wait upon the Governor and extend to him said invitation and if accepted by His Excellency to escort him to the Hall of the House of Representatives at the hour above named.

And the Speaker of the House named as a Committee on the part of the House Messrs. Russell, Harvey and Butler.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Clayton, the Rules were suspended and the Resolution, H. J. R. 137, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Boutwell and Clayton.

### RESOLUTIONS

Messrs. Boutwell, Foster, Clayton, Johnston (Mobile), Golson, Quarles and Wright offered the following Senate Joint Resolution, to-wit:

S. R. 109. WHEREAS, in the untimely passing of the Honorable Robert Joseph Lowe, who served ably in both the State Senate and the House of Representatives from Madison County, the people of Alabama have suffered a grave and irreparable loss; and

WHEREAS, Senator Lowe was descended from a long line of law-makers and statesmen, his father and grandfather both having served with honor and distinction as members of the Alabama Legislature; his father also having served as an outstanding member of the Constitutional Convention of 1901; and his uncle, the late Senator Shelby Fletcher, as a foremost member of the Alabama Legislature and author of the Fletcher Budget Act, which restored sound finance to the state government; and

WHEREAS, the redoubtable Senator Lowe was a man highly respected, admired and esteemed by members of the Legislature, a rugged and hard-hitting debater and parliamentarian who, through his diligence, determination, ability and understanding, made immeasurable contributions to the progress and welfare of this state, both in and out of the Legislature; and

WHEREAS, Senator Lowe labored with patriotic devotion and skill for such great causes as economy in government; the agricultural and industrial development of our state; the livestock industry; for good roads, adequate educational facilities, the right of our citizens to work and earn a living, and for the American principle of free and private enterprise; and

WHEREAS, the members of the Legislature feel a deep sense of loss at his death, now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1.—The members of the Legislature of Alabama mourn the passing of the Honorable Robert Joseph Lowe and express heartfelt sympathy to the surviving members of his family.

2.—The Secretary of the Senate is directed to transmit a copy of this resolution to the family of Robert Joseph Lowe and to release a copy to the press.

On motion of Mr. Boutwell, the Rules were suspended and the Resolution, S. J. R. 109, adopted by the Senate.

Mr. Andrews offered the following Senate Joint Resolution, to-wit:

S. J. R. 110. Resolved by the Senate, the House concurring, that the following bills, which have passed both houses of the Legislature, be designated the Andrews-Wallace bills:

Senate 290.

Senate 291.

Senate 277.

Senate 119.

Senate 251.

Senate 252.

Senate 280.

Senate 281.

Senate 227.

Senate 274.

Senate 276.

Senate 152.

And on motion of Mr. Andrews, the Rules were suspended and the Resolution, S. J. R. 110, was adopted by the Senate.

Mr. Reneau offered the following Senate Joint Resolution, to-wit:

S. J. R. 111. Be it resolved by the Senate the House concurring, that Senate Bill 476 which has passed both Houses be designated the Boutwell and Morgan of Jefferson bill.

And on motion of Mr. Reneau, the Rules were suspended and the Resolution, S. J. R. 111, was adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

By Mr. Phillips:

S. J. R. 105. Relative to the naming of Senate Bill No. 530 the Phillips-Quarles Bill.

Also:

By Messrs. Hollis and Jones:

S. J. R. 106. Relative to the naming of Senate Bill 580 the Hollis, Jones, Morgan of Jefferson, Scruggs and Summerlin Bill.

Also:

By Mr. Clayton:

S. J. R. 107. Relative to the naming of Senate Bill 558 the Clayton, Sollie, Farmer, McNider and Adams (Dale) bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

By Mr. Reneau:

S. J. R. 102. Relative to the naming of Senate Bill 33 the Reneau, Adams (Tallapoosa), Romine Bill.

Also:

By Mr. Larkins:

S. J. R. 103. Relative to naming Senate Bill 650 the Larkins-Stokes Bill.

Also:

By Mr. Larkins:

S. J. R. 104. Relative to naming Senate Bill 672 the Larkins-Stokes Bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 625. Providing that in all cities in the State having a population of not less than one hundred and ten thousand and not more than two hundred and fifty thousand according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial Federal Census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 73, Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 70; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 623. To authorize all cities which now have or which may in the future have a population of not less than 110,000 and not more than 250,000 according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial Federal Census, to use a portion of license taxes from fire insurance companies, and from general license taxes collected, certain percentages sufficient to pay policemen's and firemen's pensions that have been granted and which should be paid out of pension and relief funds set up for them.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 74; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 71; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Merrill:

H. J. R. 144. WHEREAS the printing of Bills, Resolutions, Roll Calls, Daily Calendars, Pamphlet Acts and other forms have been a necessary and vital part for the efficient functioning of this Legislature, and

WHEREAS the Brown Printing Company through their Executive Vice President, Herbert R. Nation have cooperated with the Secretary of the Senate and the Clerk of the House far beyond the terms of their con-

tract to the end that at no time has the business of the Legislature been delayed, said printer having been of constant service to this Legislature, therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that the Brown Printing Company and Mr. Nation are hereby thanked and commended for their efficiency and promptness during this session of the Legislature.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 144, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 187. To amend Title 48, Article 4, Section 301 (36), Code of Alabama 1940, to provide for the general revenue; and to further amend said code section to make provision for the use of the vehicle identification number in lieu of the motor and the serial numbers.

Also:

By Mr. Ward:

H. 188. To amend Title 51, Section 712, Code of Alabama 1940, as amended, to provide for the general revenue; and to further amend said law to make provision for the use of the vehicle identification number in lieu of the motor and serial numbers.

Also:

H. 388. To amend Section 9 of Title 14 of the Code of Alabama (1940), which relates to the punishment for inducing an abortion.

Also:

H. 864. To appropriate the sum of fifty thousand dollars (\$50,000) to the State Health Department for subsidy to the counties for the treatment of tuberculosis.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bills, your signature thereto is requested.

H. J. R. 136. Relative to designating House Bills 531, 532, 533, 534, 535, 536 and 637.

Also:

H. 7. To provide for the payment of a recording privilege tax on the presentation for record of certain transfers of instruments securing debt originally executed to corporations or organizations exempt from such tax, and to provide exemption from any further recording privilege tax and from ad valorem tax.

Also:

H. 167. To fix the salary of judges of the circuit court.

Also:

H. 248. To amend Act No. 173, H. 311, approved June 23, 1945, which established the State Department of Veterans' Affairs (Acts, 1945, pp. 304-312).

Also:

H. 249. To impose extra, new, and additional duties upon the State Service Commissioner, Department of Veterans' Affairs, and to provide additional compensation for the performance of such duties.

Also:

H. 426. To amend Section 63 of Title 36 of the Code of Alabama (1940), relating to driver's licenses.

Also:

H. 444. To amend Section 107 of Title 22 of the Code of Alabama of 1940; to amend Section 110 of Title 22 of the Code of Alabama of 1940, as amended by Act No. 429 of the Legislature of 1943, approved July 8, 1943, as further amended by Act No. 195 of the Legislature of 1945, approved June 23, 1945; to amend Sections 111 and 113 of Title 22, of the Code of Alabama of 1940, as amended by Act No. 195 of the Legislature of 1945, approved June 23, 1945; and to amend Section 115 of Title 22 of the Code of Alabama of 1940, all of which relate to the inoculation of dogs against rabies.

Also:

H. 896. To amend Section 4 of Act No. 275, approved July 26, 1951, entitled "An Act regulating the business of selling, distributing, storing or transporting liquefied petroleum gases; To regulate the design, construction, location, installation and operation of containers, tanks, systems and equipment for storing, utilization, handling and transporting liquefied petroleum gases; to create the Alabama Liquefied Petroleum Gas Commission and define its duty and authority; to provide for permits, permit fees and insurance and bond requirements of persons engaged in the businesses defined in this Act; to provide for a minimum amount of storage of liquefied petroleum gas by persons engaged in businesses defined in this Act; to provide penalties for the violation of this Act and any rule, or order promulgated pursuant hereto and to provide for the effective date of this Act", said Act being known as the "Alabama Liquefied Petroleum Gas Act".

Also:

H. 996. To impose extra, new, and additional duties upon the circuit solicitors of the State of Alabama; to provide additional compensation for such solicitors for the performance of the extra, new, and additional



duties hereby imposed upon them; and to provide for the payment of such additional compensation out of the General Fund of the State of Alabama.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing Message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions and House Bills, your signature thereto is requested.

H. J. R. 135. Relative to designating H. B. 475.

Also:

H. 273. To amend Section 343 of Title 55 of the Code of Alabama of 1940, relating to the appropriation for the State Board of Adjustment; to increase the amount appropriated for the payment of awards and expenses.

Also:

H. 305. To amend Sections 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 326, 328 and 329 of Title 46, Code of Alabama 1940; and to repeal Sections 321, 325 and 327 of Title 46 Code of Alabama 1940, all of which relate to the practice of veterinary medicine and surgery in Alabama.

Also:

H. 343. To provide that no charges for dismissal or disciplinary action shall be preferred against any employee in the classified service of the State after the expiration of one year from the date such cause became known to the authority having the power to dismiss or discipline such employee.

Also:

H. 516. To amend Section 306 of Title 28 of the Code of Alabama of 1940, as previously amended by an Act entitled "An Act to amend Sections 304, 306, 308 and 311 of Title 28 of the Code of Alabama of 1940, relating to non-profit corporations for establishment of hospitalization plan", approved June 1, 1945.

Also:

H. 701. To amend Section 1 of Act No. 288, S. 161, approved July 7, 1945 (General Acts of Alabama, 1945, page 478) entitled "An Act To provide Judicial Officers of the State; to designate them as Supernumerary Circuit Judges; to provide the conditions under which a Judge of the Circuit Court may become a Supernumerary Circuit Judge; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation, and the method of removal from office of such Supernumerary Circuit Judges, and to appropriate funds for the payment of such compensation."

Also:

H. 1017. Relating to counties which have populations of not less than 30,000 nor more than 33,500 inhabitants, according to the 1950 or any subsequent decennial census of the United States, and two courthouses; providing for the appointment of deputies or clerks in the offices of the tax assessor, tax collector, and circuit clerk of such counties and to provide for the payment of their compensation.

Also:

H. J. R. 39. Relative to designating S. 57.

Also:

H. 350. To amend Section 6 of Act No. 542, S. 193, approved September 7, 1949 (Acts of Alabama, 1949, page 852) known as the Uniform Simultaneous Death Act.

Also:

H. 908. Relating to exemptions of persons and property from ad valorem taxation; amending Section 2, Title 51, Code of Alabama, 1940, as amended.

Also:

H. 1108. To alter, rearrange and increase the boundaries of the City of Bessemer, Jefferson County, Alabama, to provide for elections to submit to the qualified voters of the territory or territories to be annexed to said City of Bessemer for their approval or rejection of such alterations and extension.

Also:

H. 1043. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

Also:

H. 1044. Relating to counties having a population of more than four hundred thousand inhabitants; prescribing witness fees for deputies sheriff subpoenaed in certain cases, and providing for the disposition thereof.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

#### RECESS

At 11:40 A. M., Mr. Clayton moved that the Senate take a recess until 2:15 this afternoon.

Mr. Faulkner moved as a substitute motion that the Senate take a recess until 3 o'clock this afternoon, which motion was lost.

Yeas 14; Nays 18.

*Yeas:*

Messrs.:	Faulkner	Jones	Skidmore	
Andrews	Foster	Larkins	Smith	
Benson	High	Reneau	Todd	
Fant	Hollis	Robison		—14

*Nays:*

Messrs.:	Eddins	Locke (Choctaw)	Quarles	
Bonner	Farmer	Locke (Perry)	Richardson	
Boutwell	Golson	McCary	Whatley	
Byars	Johnson (Chambers)	Phillips	Wright	
Clayton	Johnston (Mobile)	Pinson		—18

The question recurred on the motion of Mr. Clayton that the Senate take a recess until 2:15, which was adopted.

Thereupon, in accordance with the provisions of H. J. R. 137, the Senate repaired to the Hall of the House of Representatives to hear the Message of Honorable Gordon Persons.

## AFTERNOON SESSION

## THIRTY-SIXTH LEGISLATIVE DAY

THURSDAY, SEPTEMBER 6, 1951

The Senate reassembled at 2:15 P. M., Lieutenant-Governor Allen presiding.

## ROLL CALL

*Present:*

Messrs.:	Farmer	Larkins	Richardson
Andrews	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Bonner	Golson	McCary	Smith
Boutwell	High	Norrell	Sollie
Byars	Hollis	Phillips	Thagard
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Johnston (Mobile)	Quarles	Whatley
Fant	Jones	Reneau	Wright

—35

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 274, with suggested executive amendments.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, S. B. 274, with suggested executive amendments, as follows:

Amend Section 3 of Senate Bill No. 274 by striking out the words "Secretary of State's" wherever they appear in said section and substituting in lieu thereof the words "Judge of Probate's".

Amend Senate Bill No. 274 further by inserting immediately after Section 5, just preceding Section 7, a section to be known as Section 6, to read as follows:

"Section 6. Transfer of Existing Properties.—The Council of any City which shall have theretofore created a Board of Water and Sewer Commissioners and the Water Works Board of any such City which shall have theretofore been formed under the provisions of Title 37, Chapter 7, Article 5 of the Code of Alabama of 1940, are each hereby authorized and empowered, without the necessity of authorization of an election by the qualified voters of said city, to transfer and convey to such Board of Water and Sewer Commissioners all or any part of any water system or sewer or both such systems then owned and operated by such City or by such Water Works Board for such considerations and upon such terms and conditions as may be mutually agreed upon; provided, however, that any such transfer or conveyance shall be subject to all bonds, mortgages and other obligations, including revenue bonds, then outstanding which shall have theretofore been issued by such City or by such Water Works Board, and to all obligations under contracts which shall have theretofore been entered into by such City or such Water Works Board, in connection with the water system or sewer system or part thereof so transferred and conveyed, and such Board of Water and Sewer Commissioners as successors in interest of the City or of such Water Works Board in and to the properties so transferred and conveyed shall assume the payment of all such bonds and obligations and the performance of the terms of all such contracts, and the employees of such City or of such Water Works Board whose work is directly related to the properties so transferred and conveyed shall, in so far as practicable, continue to perform the same duties as theretofore without reduction in compensation and without impairment of civil service, seniority or retirement rights of such employees. The instrument effectuating any such transfer and conveyance may impose any conditions deemed advisable in connection with the management, operation, maintenance and repair of the properties so transferred and conveyed. Nothing herein contained shall be construed as permitting such Board of Water and Sewer Commissioners to transfer title to such properties or to encumber the same in such manner that title may become vested in private ownership."

The above amendments are made at the request of the author of the bill.

Respectfully,  
GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the foregoing amendment by His Excellency, the Governor, to the Bill:

S. 274. Providing for the creation and organization of a Board of Water and Sewer Commissioners by any City in the State; providing for

the transfer to such Board of all or any part of any water system or sewer system or both such systems then owned and operated by any such City or by the Water Works Board of any such City and the conditions of any such transfer; providing for the issuance of revenue bonds of such Board of Water and Sewer Commisisoners, payable solely from revenues, to pay all or any part of the cost of acquiring or constructing any water system or sewer system and the cost of improvements, extensions and additions and to refund any bonds or obligations assumed by such Board, without incurring any debt of the City or pledging its faith and credit; providing for a trust agreement to secure any such revenue bonds, without mortgaging any such system or part thereof; authorizing the issuance of revenue refunding bonds of such Board; providing for fixing and collecting by the Board of rates, fees and charges for the use of and for the services furnished by any water system, sewer system or sewage disposal system operated by it, and for the application of such revenues; providing for sewer connections and the enforcement of charges; exempting all properties of the Board and such bonds from taxation; and prescribing the powers and duties of the Board in connection with the foregoing and the rights and remedies of the holders of any such bonds.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Reneau	
Andrews	Fant	Larkins	Richardson	
Benson	Foster	Locke (Choctaw)	Robison	
Boutwell	High	Locke (Perry)	Thagard	
Byars	Hollis	McCary	Whatley	
Clayton	Johnson (Chambers)	Norrell	Wright	—23

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Richardson	
Andrews	Foster	Locke (Choctaw)	Robison	
Benson	High	Locke (Perry)	Thagard	
Byars	Hollis	McCary	Whatley	
Clayton	Johnson (Chambers)	Norrell	Wright	
Eddins	Jones	Reneau		—22

Nays: —0

Which was a majority of the whole number elected to the Senate.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your standing committee on enrolled bills begs leave to report that said committee, in session, has compared the following enrolled bills and Joint Resolutions with the engrossed and original Bills and Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 623. To authorize all cities which now have or which may in the future have a population of not less than 110,000 and not more than

250,000 according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial federal census, to use a portion of license taxes from fire insurance companies, and from general license taxes collected, certain percentages sufficient to pay policemen's and firemen's pensions that have been granted and which should be paid out of pension and relief funds set up for them.

Also:

S. 625. Providing that in all cities in the state having a population of not less than one hundred and ten thousand and not more than two hundred and fifty thousand according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial federal census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

Also:

S. J. R. 102. Relative to: Naming Senate Bill 33.

Also:

S. J. R. 103. Relative to: Naming Senate Bill 650.

Also:

S. J. R. 104. Relative to: Naming Senate Bill 672.

Also:

S. J. R. 105. Relative to: Naming Senate Bill 530.

Also:

S. J. R. 106. Relative to: Naming Senate Bill 580.

Also:

S. J. R. 107. Relative to: Naming Senate Bill 558.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 687, said Governor's message being in words and figures as follows, to-wit:

## MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 687, with suggested executive amendments.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 687, with suggested executive amendments, as follows:

Amend the caption of House Bill No. 687 by adding the numeral (1) between the word "sections" and the numeral "(2)" in the first line of said caption.

Amend Sections 1 through 9 as now contained in House Bill No. 687 by renumbering to read and be designated as Sections 2 through 10, respectively.

Amend House Bill No. 687 further by adding a new Section 1 to read as follows:

"Section 1. That Section 1 of an Act No. 590, of the Regular Session of the Legislature of Alabama of 1939, approved June 27, 1940, and commencing on page 958 of the General Acts of Alabama of 1939, be, and said Section 1 hereby is, amended so as to read as follows: Section 1 (Section 665 (1), Title 51, Cumulative Pocket Part, Code of Alabama 1940). Definitions.—As used in this act, the term "motor fuel" shall include "diesel oil," "tractor fuel," "gas oil," "distillate" or "liquefied gas" when sold, distributed, stored or withdrawn from storage in this State for use in the operation of any motor vehicle upon the public highways of this State. The word "person" shall include individuals, persons, corporations, co-partnerships, companies, counties, municipal corporations, school boards or agencies of the State or other agencies, associations, incorporated or otherwise, singular or plural. The term "distributor" as used in this act shall include any person who engages in the sale or distribution of motor fuel as herein defined at wholesale or retail within this State. The term "storer" as herein used shall include any person who manufactures or receives motor fuel as herein defined, stores same in any manner, and withdraws same. The term "user" as herein used is defined as a person who uses or causes to be used the motor fuels as herein defined in the operation of any motor vehicle upon the public highways of this State."

The above amendments are made with the full knowledge and approval of the authors of the bill.

Respectfully,  
GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 687 by a vote of Yeas 61, Nays 0,

which was a majority of the whole number elected to the House, and said bill:

H. 687. To amend Sections (2), (8), (9), (10), (12), and (14) of an Act designated as No. 590, H. 392, General Acts of Alabama of 1939, page 958, and entitled: "To impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways: to define the term motor fuel as used herein: to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this Act: to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this Act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this Act; and to generally provide for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto."; approved June 27, 1940.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 55, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Eddins, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 687, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Robison
Andrews	Faulkner	McCary	Skidmore
Benson	Foster	Norrell	Smith
Boutwell	Hollis	Phillips	Sollie
Byars	Johnson (Chambers)	Pinson	Thagard
Clayton	Jones	Reneau	Whatley
Eddins	Larkins	Richardson	Wright

—27

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Byars	Foster	Johnston (Mobile)
Andrews	Clayton	High	Jones
Benson	Eddins	Hollis	Larkins
Boutwell	Fant	Johnson (Chambers)	Locke (Choctaw)



Locke (Perry)  
Norrell  
Phillips  
Pinson

Reneau  
Richardson  
Robison

Skidmore  
Sollie  
Thagard

Todd  
Whatley  
Wright

—28

Nays:

—0

Which was a majority of the whole number elected to the Senate.

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 621, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 621, with a suggested executive amendment, as follows:

Amend Senate Bill No. 621 by striking from the title and body thereof the following:

"seventy-eight thousand five hundred and not more than two hundred fifty thousand, according to the last or any subsequent Federal Census."

wherever it appears therein and inserting in lieu thereof the following:

"110,000 and not more than 250,000 according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial Federal Census".

The above amendment is made at the request of the author of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

### GOVERNOR'S MESSAGE

On motion of Mr. Johnston (Mobile), the Senate concurred in and adopted the foregoing amendment proposed by His Excellency, the Governor, to the Bill:

S. 621. To create in all cities in the State of Alabama, having a population of not less than seventy-eight thousand five hundred, and not more than two hundred fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as "Municipal Employees Pension and Relief Funds;" to provide for the setting apart of such funds; to create a pension and relief system applicable to all municipal employees in such cities, except Policemen and firemen; to

provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to **provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a capitol board of pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.**

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore
Andrews	Hollis	Locke (Perry)	Smith
Benson	Johnson (Chambers)	Pinson	Sollie
Boutwell	Johnston (Mobile)	Quarles	Thagard
Byars	Jones	Robison	Wright
Clayton	Larkins		

—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore
Andrews	Hollis	Locke (Perry)	Smith
Benson	Johnson (Chambers)	Pinson	Sollie
Boutwell	Johnston (Mobile)	Quarles	Thagard
Byars	Jones	Robison	Wright
Clayton	Larkins		

—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama  
Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 626, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 626, with a suggested executive amendment, as follows:

Amend Senate Bill No. 626 by striking from the title and body thereof the following:

“seventy-eight thousand five hundred and not more than two hundred and fifty thousand according to the last or any subsequent Federal Census”

wherever it appears therein and inserting in lieu thereof the following:

“one hundred and ten thousand and not more than two hundred and fifty thousand according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial Federal Census”.

The above amendment is made at the request of the author of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Johnston (Mobile), the Senate concurred in and adopted the foregoing amendment proposed by His Excellency, the Governor, to the Bill:

S. 626. To create in all cities in the State of Alabama having a population of not less than seventy eight thousand five hundred and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, special funds to be known as “Policemen’s and Fireman’s Pension and Relief Funds” to provide for the setting apart of such funds, to create a Pension and Relief System applicable to the members of the Police and Fire Departments in said cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise: to provide payments for disabled members of the Police and Fire Departments in said cities during their disability, and for the retirement of such members on pension either by reason of term of office or disability; to provide for the pensioning of members of such Police and Fire Departments after service therein; to provide for the appropriation for funeral expenses upon the death of such member: to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds, and for the appointment of trustees and a board of pensions for all purposes in connection herewith; to provide penalties for violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore	
Andrews	Hollis	Locke (Perry)	Smith	
Benson	Johnson (Chambers)	Pinson	Sollie	
Boutwell	Johnston (Mobile)	Quarles	Thagard	
Byars	Jones	Robison	Wright	
Clayton	Larkins			—21

*Nays:* —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore	
Andrews	Hollis	Locke (Perry)	Smith	
Benson	Johnson (Chambers)	Pinson	Sollie	
Boutwell	Johnston (Mobile)	Quarles	Thagard	
Byars	Jones	Robison	Wright	
Clayton	Larkins			—21

*Nays:* —0

Which was a majority of the whole number elected to the Senate.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 624, with suggested executive amendments.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 624, with suggested executive amendments, as follows:

Amend the caption of said bill by striking therefrom the following:

"which according to the last or any subsequent federal census have a population of as much as 78,500"

and inserting in lieu thereof the following:

"which according to the preliminary count of the 1950 federal census or any subsequent regular decennial census have a population of as much as 110,000."

Further amend Senate Bill No. 624 by striking from Section 1 of said bill the following:

"which according to the last or any subsequent federal census has a population of as much as 78,500 and under 250,000 inhabitants"

and inserting in lieu thereof the following:

"which has a population of as much as 110,000 according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census."

Further amend Senate Bill No. 624 by striking therefrom Section 3 and by substituting in lieu thereof the following:

"Section 3. Any city clerk who shall neglect to perform the duty herein imposed upon him, shall be liable in damages to any person injured by such neglect, to a penalty of Two Hundred Fifty (\$250.00) Dollars, which may be recovered by suit in any Circuit Court."

The above amendments are made at the request of the author of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Johnston (Mobile), the Senate concurred in and adopted the foregoing amendment proposed by His Excellency, the Governor, to the Bill:

S. 624. To require the governing bodies of cities in this State, which according to the last or any subsequent Federal Census have a population of as much as 78,500, before making final any assessment for any public or improvements, to cause the city clerk to mail a bill therefor to the owner of such property, as shown on the assessment roll or assessment book prepared in accordance with the provisions of Section 530 of Title 37 of the Alabama Code of 1940, and providing further that no defect or alteration in any such bill, nor error in addressing the same, or in the address of the owner, or mistake of the city clerk in sending the bill to the wrong address, nor failure of the owner or addressee to receive the same, shall affect or invalidate any such assessment, and providing that the certificate of the City Clerk appended to the assessment roll, or inserted in the assessment book, to the effect that such clerk has mailed bills in accordance with the requirements of this Act, shall in all courts and in all proceedings be taken and considered as prima facie establishing the fact of compliance herewith, and providing a penalty upon any city clerk who shall neglect to perform the duties herein required of him.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore
Andrews	Hollis	Locke (Perry)	Smith
Benson	Johnson (Chambers)	Pinson	Sollie
Boutwell	Johnston (Mobile)	Quarles	Thagard
Byars	Jones	Robison	Wright
Clayton	Larkins		

—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

<b>Messrs.:</b>	Faulkner	Locke ( <i>Choctaw</i> )	Skidmore	
Andrews	Hollis	Locke ( <i>Perry</i> )	Smith	
Benson	Johnson ( <i>Chambers</i> )	Pinson	Sollie	
Boutwell	Johnston ( <i>Mobile</i> )	Quarles	Thagard	
Byars	Jones	Robison	Wright	
Clayton	Larkins			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 661, without his approval.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 661, without my approval.

This bill is being returned at the request of the author of the bill since an identical bill (H. B. 1083) has already been approved.

Respectfully,  
GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Robison, the Senate sustained the Governor's veto to the bill, S. B. 661.

Yeas 21; Nays 0.

Yeas:

<b>Messrs.:</b>	Faulkner	Locke ( <i>Choctaw</i> )	Robison	
Andrews	Foster	Locke ( <i>Perry</i> )	Skidmore	
Benson	Golson	Pinson	Smith	
Boutwell	High	Reneau	Sollie	
Byars	Hollis	Richardson	Thagard	
Clayton	Larkins			—21

Nays: —0

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 660, without my approval.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 660, without my approval.

This bill is being returned at the request of the author of the bill since an identical bill (H. B. 1084) has already been approved.

Respectfully,  
GORDON PERSONS,  
Governor.

## GOVERNOR'S MESSAGE

On motion of Mr. Robison, the Senate sustained the Governor's veto to the bill, S. B. 660.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison	
Andrews	Foster	Locke (Perry)	Skidmore	
Eenson	Golson	Pinson	Smith	
Boutwell	High	Reneau	Sollie	
Byars	Hollis	Richardson	Thagard	
Clayton	Larkins			—21

Nays:

—0

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 659, without his approval.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 659, without my approval.

This bill is being returned at the request of the author of the bill since an identical bill (H. B. 1080) has already been approved.

Respectfully,  
GORDON PERSONS,  
Governor.

### GOVERNOR'S MESSAGE

On motion of Mr. Robison, the Senate sustained the Governor's veto to the bill, S. B. 659.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	Foster	Locke (Perry)	Skidmore
Benson	Golson	Pinson	Smith
Boutwell	High	Reneau	Sollie
Byars	Hollis	Richardson	Thagard
Clayton	Larkins		

—21

Nays:

—0

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning Senate Bill No. 572, with a suggested executive amendment.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 572, with a suggested executive amendment, as follows:

Amend Senate Bill No. 572 by adding at the end of Section 2 thereof, the following:

"Provided, however, that in no event shall the total compensation exceed the amount of \$7,000.00 per annum."



The above amendment is made at the request of the author of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

### GOVERNOR'S MESSAGE

On motion of Mr. Skidmore, the Senate concurred in and adopted the foregoing amendment proposed by His Excellency, the Governor, to the Bill:

S. 572. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payments of such additional compensation by Tuscaloosa County.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	McCary	Skidmore	
Andrews	Foster	Norrell	Smith	
Benson	Golson	Phillips	Sollie	
Boutwell	High	Richardson	Thagard	
Byars	Locke (Choctaw)	Robison	Todd	
Farmer	Locke (Perry)			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	McCary	Skidmore	
Andrews	Foster	Norrell	Smith	
Benson	Golson	Phillips	Sollie	
Boutwell	High	Richardson	Thagard	
Byars	Locke (Choctaw)	Robison	Todd	
Farmer	Locke (Perry)			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

### BILLS ON THIRD READING

The Bill:

H. 872. To amend "An Act to abolish Bills of Exception in the Circuit Court and courts of like jurisdiction and all other courts of record having a full time Court Reporter and from which appeals lie directly to the Court of Appeals or the Supreme Court of Alabama in cases at law, and to provide for the evidence to be transcribed and made a part of the record and for assignments of error on the record," approved July 12, 1943.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Perry)	Skidmore
Andrews	Hugh	Norrell	Sollie
Benson	Johnston (Mobile)	Phillips	Thagard
Boutwell	Jones	Pinson	Todd
Byars	Larkins	Reneau	Whatley
Clayton	Locke (Choctaw)	Robison	Wright
Eddins			

—24

Nays:

—0

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 238, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 238, with a suggested executive amendment, as follows:

Amend Section 4 of Senate Bill No. 238 by striking out the first sentence of said section and substituting in lieu thereof the following sentence:

"Each year following the adoption of this Act, including the year of 1951, upon a plan for distribution of premiums or prizes having been adopted by the Alabama State Fair Authority, and upon said plan having been returned to Alabama State Fair Authority by the Commission, with or without modifications thereof by the said Commission, or upon the adoption of a plan of the premium or prize money by Alabama State Fair Authority, and upon the expiration of the time for the return of said plan by the Commission to Alabama State Fair Authority, the Chairman of the Board of Directors of Alabama State Fair Authority shall present the State Comptroller with a requisition for the lump sum of Fifteen Thousand Dollars (\$15,000.00) and the State Comptroller shall thereupon draw a warrant upon the Treasurer of the State of Alabama for that amount and the Treasurer shall pay said warrant or cause said warrant to be paid."

The above amendment is made at the request of the author of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

September 6, 1951

### GOVERNOR'S MESSAGE

On motion of Mr. Boutwell the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 238. To create and establish the Alabama Agricultural and Industrial Exhibit Commission, to prescribe the duties of said Commission, and to appropriate for each of the fiscal years 1951-52 and 1952-53 to said Commission out of the general funds of the State of Alabama the sum of Fifteen Thousand Dollars (\$15,000.00), which said sum the said Commission, acting with and through the Alabama State Fair Authority, a public corporation, shall use in providing, or paying, premiums, rewards or prizes for beef cattle, dairy cattle, sheep, goats, hogs and other livestock; agricultural shows or exhibits; fine arts (art exhibits, including portraits, paintings, drawings, sculpture and molding of pottery); exhibits of an educational character portraying important phases of community life; educational shows and exhibits for participation therein by students; Home Economics, including cooking, sewing, preserving and other activities of women; exhibits for 4-H Clubs, Future Farmers of America, and Future Homemakers of America; Poultry Shows or exhibits; Rabbit shows or exhibits; Dog shows or exhibits; and Flower Shows or exhibits.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Richardson	
Benson	Golson	Locke (Perry)	Sollie	
Boutwell	High	McCary	Thagard	
Byars	Johnston (Mobile)	Norrell	Todd	
Clayton	Jones	Phillips	Wright	
Eddins	Larkins	Reneau		—22

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fant	McCary	Robison	
Benson	Foster	Norrell	Skidmore	
Boutwell	Golson	Phillips	Sollie	
Byars	High	Pinson	Thagard	
Clayton	Johnston (Mobile)	Reneau	Todd	
Eddins	Locke (Choctaw)	Richardson		—22

Nays: —0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama

State Capitol

Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 14, with a suggested executive amendment.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 14, with a proposed executive amendment, as follows:

The proposed amendment hereafter stated is suggested at the request of Honorable Frank M. Stewart, Commissioner of the Alabama Department of Agriculture and Industries. In support of this suggested amendment, Commissioner Stewart has written me as follows:

"There are several compelling reasons why I am requesting that the effective date of this Act be changed to April 1, 1952. This bill requires the owners of cattle who brand such cattle to register their brand with the Department of Agriculture and Industries and it also requires stockyards selling cattle to keep records of brands. It will require much preliminary work on the part of this Department and the more than 80 livestock markets located in the State to prepare for compliance with this law. For the next three or four months it is anticipated that there will be a heavy volume of cattle sold through stockyards and for these reasons it is felt that the provisions of this Act should not be imposed upon such stockyards during the busiest season of the year. We are having to require stockyards to comply with the provisions of another law which becomes effective on October 1, which regulates the operation of stockyards and this will be some what of a burden upon stockyards as well as this Department. It will also take two or three months to put this law into effect. Another reason why we are asking that the effective date of this Act be postponed to April 1, 1952, is that a new State Veterinarian will be appointed on October 1, and this officer performs numerous duties in connection with the operation of stockyards by seeing that such stockyards comply with all livestock sanitary laws and this will cause much extra work on the personnel of this Department who are employed as livestock market inspectors."

The suggested executive amendment is as follows:

Amend Section 14 of Senate Bill No. 14 by striking from said section the word and figures "October 1, 1951" and substituting in lieu thereof the word and figures "April 1, 1952".

Respectfully,

GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Clayton, the Senate concurred in and adopted the foregoing amendment proposed by His Excellency, the Governor, to the bill:

S. B. 14. Requiring the owners of cattle desiring to brand such cattle to register the brands with the Department of Agriculture and Industries and prescribing a fee therefor; making the presence of such registered brands on cattle evidence of ownership of cattle so branded; to provide for the re-registering and transfer of registered brands; to require the State Department of Agriculture and Industries to furnish copies of registered brands to livestock markets, circuit court clerks, and sheriffs; imposing certain duties relative to the sale and handling of branded cattle upon livestock markets by requiring such markets to keep records of sales, give notice thereof and furnish bills of sale to buyers; to require hide dealers to keep certain records for identification of hides and cattle; to authorize the Department of Agriculture and In-

dustries to promulgate rules and regulations to carry out the provisions of this Act; to provide that certain violations of this Act are unlawful and constitute a misdemeanor; and providing the repeal of other laws in conflict herewith and a date upon which this Act shall become effective.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Locke (Perry)	Robison
Andrews	Foster	Norrell	Skidmore
Benson	High	Phillips	Sollie
Boutwell	Johnson (Chambers)	Pinson	Thagard
Byars	Jones	Reneau	Todd
Clayton	Locke (Choctaw)	Richardson	Wright
			—23

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	High	Locke (Perry)	Robison
Benson	Hollis	Norrell	Skidmore
Boutwell	Johnson (Chambers)	Phillips	Sollie
Byars	Johnston (Mobile)	Pinson	Thagard
Clayton	Jones	Reneau	Whatley
Eddins	Locke (Choctaw)	Richardson	Wright
Fant			—24

Nays: —0

Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 675. For the relief of R. E. LeSueur.

Also:

S. 673. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, with-drawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of laws in conflict with this act, and to provide when this act shall become effective.

Also:

S. 680. Proposing an amendment to the Constitution of Alabama relating to Colbert County.

Also:

S. 674. To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling Liquor, Malt or Brewed Beverages, as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

Also:

S. 677. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 357.

The vote being: Yeas 79, Nays 0. And said bill:

S. 357. To propose an amendment to the Constitution of Alabama in relation to expenditure of moneys derived from fees or taxes relating to the use of vehicles on public highways, or to fuels used for propelling such vehicles.

as amended by the report of the Committee of Conference was again read at length and passed by a vote of: Yeas 81, Nays 0.

And said bill, together with the Report of the Committee of Conference, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

By Mr. Pinson:

S. J. R. 108. Relative to the naming of Senate bill No. 534 the Pinson, Jones, Hollis, Faulkner, Benson, Andrews, Larkins, Golson, Farmer, Reneau, Locke of Choctaw, McCary, Sollie, Foster, Johnson of Chambers, Locke of Perry, Skidmore, High, Fant, Norrell, Phillips, Whatley, Wright, Smith, Todd, Wallace, Merrill, Langdon, McCoy and Cole bill.

Also:

By Mr. Boutwell:

S. J. R. 109. Relative to expressing sympathy on the death of Honorable Robert Joseph Lowe.

Also:

By Mr. Andrews:

S. J. R. 110. Relative to the naming of Senate Bills 290, 291, 277, 119, 251, 252, 280, 281, 227, 274, 276 and 152. the Andrews-Wallace Bills.

Also:

By Mr. Reneau:

S. J. R. 111. Relative to naming Senate Bill 476 the Boutwell and Morgan of Jefferson bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 274. Providing for the creation and organization of a Board of Water and Sewer Commissioners by any City in the State; providing for the transfer to such Board of all or any part of any water system or sewer system or both such systems then owned and operated by any such City or by the Water Works Board of any such City and the conditions of any such transfer; providing for the issuance of revenue bonds of such Board of Water and Sewer Commissioners, payable solely from revenues, to pay all or any part of the cost of acquiring or constructing any water system or sewer system and the cost of improvements, extensions and additions and to refund any bonds or obligations assumed by such Board, without incurring any debt of the City or pledging its faith and credit; providing for a trust agreement to secure any such revenue bonds, without mortgaging any such system or part thereof; authorizing the issuance of revenue refunding bonds of such Board; providing for fixing and collecting by the Board of rates, fees and charges for the use of and for the services furnished by any water system, sewer system or sewage disposal system operated by it, and for the application of such revenues; providing for sewer connections and the enforcement of charges; exempting all properties of the Board and such bonds from taxation; and prescribing the powers and duties of the Board in connection with the foregoing and the rights and remedies of the holders of any such bonds.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 85; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 85; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 624. To require the governing bodies of cities in this State, which according to the preliminary count of the 1950 federal census or any subsequent regular decennial census have a population of as much as 110,000 before making final any assessment for any public or improvements, to cause the city clerk to mail a bill therefor to the owner of such property, as shown on the assessment roll or assessment book prepared in accordance with the provisions of Section 530 of Title 37 of the Alabama Code of 1940, and providing further that no defect or alteration in any such bill, nor error in addressing the same, or in the address of the owner, or mistake of the city clerk in sending the bill to the wrong address, nor failure of the owner or addressee to receive the same, shall affect or invalidate any such assessment, and providing that the certificate of the City Clerk appended to the assessment roll, or inserted in the assessment book, to the effect that such clerk has mailed bills in accordance with the requirements of this Act, shall in all courts and in all proceedings be taken and considered as prima facie establishing the fact of compliance herewith, and providing a penalty upon any city clerk who shall neglect to perform the duties herein required of him.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 85; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 85; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### RESOLUTION

Mr. Reneau offered the following Senate Joint Resolution, to-wit:

S. J. R. 112. Be it resolved by the Senate the House of Representatives concurring that 250 copies of Governor's and Lieutenant Governor's address made to the Joint Session of the two Houses this morning be printed and that the Secretaries of the two Houses mail a copy to each member of the Legislature.

And on motion of Mr. Reneau, the Rules were suspended and the Resolution adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 108. To revise Articles 3 and 4 of Chapter 13 of Title 7 of the Code of Alabama (1940), as amended, which relate to exemptions from administration and the payment of debts and setting apart exemptions to the widow and minor children, by amending Sections 661, 662, 673, 674, 683, 685, 686, 687, 689, 691, 692, 693, 697 and 705 and by repealing Sections 663, 688, 690 and 702.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Thagard, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 108, the title of which is set out in the foregoing Message from the House:



## AMENDMENT TO SENATE BILL 108

Amend by substituting the words "six thousand dollars" in lieu of the words "four thousand dollars" wherever the same appears.

Amend S. B. 108 by changing the period at the end of the paragraph beginning with "Section 697" on page 5 of Section 1 to a Comma and adding the following:

"Provided, that if all the property left by the decedent in this state does not exceed the total value allowed by law as exempt, all of such property shall vest absolutely in the widow and children or, if there be no widow, to the children; and if there be no children, to the widow."

Provided that where there are children and a widow the homestead so vested shall not be sold for division during the life of the widow and the minority of the child or children without the consent of the widow and the legally appointed representative of the minor children.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Faulkner	McCary	Robison
Andrews	Foster	Norrell	Skidmore
Benson	High	Phillips	Sollie
Boutwell	Hollis	Pinson	Thagard
Byars	Johnston (Mobile)	Quarles	Todd
Clayton	Larkins	Reneau	Whatley
Eddins	Locke (Choctaw)	Richardson	Wright
Fant	Locke (Perry)		

—29

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 422. To propose an amendment to the Constitution relating to the levy and collection of a special property tax for the construction, alteration, and upkeep of public school buildings in Jackson County.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Benson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 422, the title of which is set out in the foregoing Message from the House:

## AMENDMENT TO SENATE BILL 422

Amend Senate Bill 422 by striking the period at the end of the first sentence of the amendment proposed therein and inserting in lieu thereof a semi-colon and the following: "and provided further, that in no event shall the tax continue for a period of longer than twelve years."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Byars	Faulkner	Johnson (Chambers)
Andrews	Eddins	Foster	Johnston (Mobile)
Benson	Fant	Golson	Jones

Larkins	Pinson	Robison	Todd	
Locke (Choctaw)	Quarles	Skidmore	Whatley	
Locke (Perry)	Reneau	Thagard	Wright	
McCary	Richardson			—25
Nays:				—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 226. To authorize any person claiming to be the owner of lost or stolen property found in the possession of another who continues to withhold such property after demand therefor, to sue for and recover, in addition to other damages allowable by law, a reasonable attorney's fee for the services of his attorney in a detinue suit brought to recover such property.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 226, the title of which is set out in the foregoing Message from the House:

Amend S. B. 226 by adding immediately after the words "after demand made therefor" the following words "and after reasonable proof of his ownership has been made to such holder".

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foster	Locke (Choctaw)	Robison	
Andrews	High	Locke (Perry)	Skidmore	
Benson	Hollis	Norrell	Sollie	
Boutwell	Johnson (Chambers)	Phillips	Thagard	
Byars	Johnston (Mobile)	Pinson	Todd	
Clayton	Jones	Reneau	Whatley	
Eddins	Larkins	Richardson	Wright	
Fant				—28

Nays:

—0

## BILLS ON THIRD READING RESUMED

The Bill:

H. 652. To fix and designate the salary of Supernumerary Circuit Judges, their tenure of office and to prescribe their duties, and to refund to them their reasonable expenses for travel and hotel bills while engaged in their official duties in counties other than that of their residence.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Boutwell	Eddins	Foster
Andrews	Byars	Fant	High
Benson	Clayton	Farmer	Hollis

Johnson (Chambers)	Locke (Perry)	Richardson	Sollie	—28
Johnston (Mobile)	Norrell	Robison	Todd	
Jones	Phillips	Skidmore	Whatley	
Larkins	Reneau	Smith	Wright	
Locke (Choctaw)				
Nays:				—0

## FURTHER CONSIDERATION OF SENATE RESOLUTION 92

Messrs. Quarles and Faulkner offered the following substitute for the Resolution, S. R. 92 to-wit:

WHEREAS The year 1952 is a Presidential election year and the precedents established by the State Democratic Executive Committee for the qualification of candidates for public office are those found in the Resolutions adopted by the State Committee in 1928, 1940, and 1948;

AND WHEREAS THESE three Resolutions speak for themselves;

NOW THEREFORE BE IT RESOLVED BY THE SENATE OF ALABAMA THAT the State Democratic Executive Committee be requested not to adopt a qualification Resolution providing for a "closed" primary in 1952, but merely adopt a resolution containing the traditional qualifications the Committee has adopted through the years.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Richardson	—33
Andrews	Faulkner	Locke (Perry)	Robison	
Benson	Foster	McCary	Skidmore	
Bonner	Golson	Norrell	Sollie	
Boutwell	High	Phillips	Thagard	
Byars	Johnson (Chambers)	Pinson	Todd	
Clayton	Johnston (Mobile)	Quarles	Whatley	
Eddins	Jones	Reneau	Wright	
Fant	Larkins			

Nays:

—0

And said Resolution, as thus amended by the substitute, was then adopted by the Senate.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Reneau	—33
Andrews	Faulkner	Locke (Choctaw)	Richardson	
Benson	Foster	Locke (Perry)	Robison	
Bonner	Golson	McCary	Skidmore	
Boutwell	High	Norrell	Sollie	
Byars	Hollis	Phillips	Todd	
Clayton	Johnson (Chambers)	Pinson	Whatley	
Eddins	Johnston (Mobile)	Quarles	Wright	
Fant	Jones			

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Stokes:

H. J. R. 143. Be it resolved by the House, the Senate concurring, that House Bill 1017 be known as the Stokes-Larkins Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Wright, the Rules were suspended and the Resolution, H. J. R. 143, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Rules Committee:

H. J. R. 141. Be it resolved by the Legislature of Alabama, both Houses thereof concurring, That the Clerk of the House and the Secretary of the Senate are each authorized to employ from time to time, while the Legislature is not in session, and as a necessity may occur, a stenographer, secretary, or clerk, whose compensation, not to exceed eight dollars a day, shall be paid out of any funds appropriated for payment of legislative expenses.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Clayton, the Rules were suspended and the Resolution, H. J. R. 141, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Adams of Dale:

H. J. R. 138. BE IT RESOLVED by the House, the Senate concurring, that House Bills 544, 545, 546, and 547 which have passed both Houses be known and designated as the Adams of Dale and Boutwell Bills.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 138, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Russell:

H. J. R. 146. Be It Resolved by the House, the Senate Concurring, that the two Houses meet in Joint Session today for the purpose of hearing the Governor of Alabama at 11:40 A. M.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Clayton, the Rules were suspended and the Resolution, H. J. R. 146, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Wallace:

H. J. R. 147. Be it Resolved by the House the Senate concurring, that H. B. 635 be known as the Russell, Harrison, Wallace, Pinson Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Wright, the Rules were suspended and the Resolution, H. J. R. 147, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House has named as a Committee on the part of the House, pursuant to H. J. R. 95 creating a Joint Legislative Committee to study and investigate the public schools of the State and all phases of operation thereof, Messrs. Morgan of Jefferson, Ward and Oakley.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 173, with suggested executive amendments.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 173, with suggested executive amendments as follows:

Amend the title to Senate Bill No. 173 by omitting the first period contained in said title and substituting therefor the following:

“, provided, that the provisions hereof shall not affect the appropriations for payments of rentals made in Act No. 533 and Act No. 749 adopted at the 1951 Regular Session of the Legislature; and to provide that”

Amend Section 1 of Senate Bill No. 173, by omitting the period at the end of the first sentence in said section and inserting in lieu thereof the following:

“; provided, however, that the provisions of this sentence shall not affect in any manner or to any extent the appropriations for payment of rentals made in Act No. 533 adopted at the 1951 Regular Session of the Legislature of Alabama (H. B. 801); and, provided, further, that the provisions hereof shall not in any manner affect or restrict the authority of the State Board of Agriculture and Industries to make any expenditure of funds in the State Markets Fund of the Agricultural Fund which expenditure is authorized under the provisions of Act No. 749 of the Regular Session of 1951”.

The above amendment is made at the request of the author of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

### GOVERNOR'S MESSAGE

On motion of Mr. Faulkner, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, which said amendment is set out in the foregoing Message from the Governor, to the bill:

S. 173. To provide that the withdrawal or expenditure of any funds in the State Treasury to the credit of the Agricultural Fund provided for in Title 2, Article 3 of the Code of Alabama of 1940, for the payment of salaries, expenses, equipment, operational costs or maintenance, or for any reason whatsoever, shall be pursuant to budget and allotment as is provided in Title 55, Chapter 4, Article 3 of the Code of Alabama of 1940, and limited to the amounts provided therefor by the Legislature in the general appropriation bill. Any unappropriated funds remaining in the Agricultural Fund or any unexpended funds remaining in the appropriation to the Department of Agriculture by the Legislature at the end of each fiscal year shall be carried in the State Treasury in the Agricultural Fund.

Yeas 27; Nays 0.

Yeas:

Messrs.:  
Andrews  
Benson  
Boutwell  
Byars

Clayton  
Eddins  
Fant  
Farmer  
Faulkner

Foster  
High  
Hollis  
Johnson (Chambers)  
Johnston (Mobile)

Larkins  
Locke (Choctaw)  
Locke (Perry)  
Norrell  
Phillips

Quarles	Richardson	Skidmore	Todd	
Reneau	Robison	Thagard	Wright	
				—27
<i>Nays:</i>				—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 24; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Locke (Choctaw)	Richardson	
Andrews	Foster	Locke (Perry)	Robison	
Benson	High	Norrell	Skidmore	
Clayton	Johnson (Chambers)	Phillips	Thagard	
Eddins	Johnston (Mobile)	Quarles	Todd	
Fant	Larkins	Reneau	Wright	
Farmer				—24

<i>Nays:</i>	—0
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Which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

#### HOUSE JOINT RESOLUTION NO. 128

By Mr. Gentle:

Whereas, under the provisions of Act No. 140, approved June 29, 1951, the State Highway Department is charged with the major responsibility for the construction, maintenance and repair of the county roads and bridges of Jackson County and

Whereas, the members of the Jackson County legislative delegation as representatives of the people of the County have a vital interest in the highway program and projects in the County,

Be It Resolved by the House of Representatives, the Senate Concurring:

1. The members of the Jackson County legislative delegation in the present and future Legislatures are hereby authorized and empowered individually or collectively to investigate the nature and progress of the highway or road and bridge program in Jackson County, the highway projects proposed to be undertaken in the County, the condition of the roads and bridges of the County, the road and bridge needs of the County and any and all other aspects of the road and bridge program of the County, and to make recommendations and suggestions relative thereto to the Governor and the Director of the State Highway Department. The recommendations and suggestions made pursuant to this resolution shall be advisory in nature.

2. The Director of the State Highway Department is hereby directed to transmit a copy of this resolution to each person employed by the Highway Department, or with its approval, or who is under its supervision, who is charged with the supervision of the road and bridge program in Jackson County or who is in charge of any road or bridge project in the County. And all such persons shall give all possible assistance

and information to the members of the Jackson County legislative delegation in their investigations undertaken pursuant to this resolution.

3. The Clerk of the House of Representatives is directed to transmit copies of this resolution to the Governor and the Director of the Highway Department.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Benson, the Rules were suspended and the Resolution, H. J. R. 128, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Adams of Tallapoosa:

H. J. R. 145. WHEREAS, the incident of traffic accident and deaths in Alabama is among the highest in the nation, and

WHEREAS, the Legislature is concerned over this deplorable condition and is interested in considering and enacting legislation to rectify it, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislative Council is hereby directed to study the traffic safety laws of the State and make recommendations to the next regular session of the Legislature for revisions of or additions to such laws.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Wright, the Rules were suspended and the Resolution, H. J. R. 145, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 626. To create in all cities in the State of Alabama having a population of not less than one hundred and ten thousand and not more than two hundred and fifty thousand according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial Federal Census, special funds to be known as "Policemen's and Fireman's Pension and Relief Funds" to provide for the setting apart of such funds, to create a pension and relief system applicable to the members of the Police and Fire Departments in said cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and



handling of such funds; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise: to provide payments for disabled members of the police and fire departments in said cities during their disability, and for the retirement of such members on pension either by reason of term of office or disability; to provide for the pensioning of members of such police and fire departments after service therein; to provide for the appropriation for funeral expenses upon the death of such member: to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds, and for the appointment of trustees and a board of pensions for all purposes in connection herewith; to provide penalties for violations of the provisions of this Act; to provide when this act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 84; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 84; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I hand you herewith a message from the the Governor, returning Senate Bill No. 394, without his approval.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 394, without my approval.

This bill provides as follows:

"The State Highway Department is hereby directed permanently to employ, without regard to the Merit System Act, Walter Dewey Martin in any position for which he may be employable."

The apparent purpose of the bill is to give to Mr. Martin additional compensation for the injuries which he received. It is not believed that

this is a proper method of compensating an injured employee. To say the least, a very bad precedent will have been set if this bill should become law.

After Mr. Martin was injured, the Personnel Board approved special leave with full pay (\$185.00 per month) for him for the maximum allowance of twenty-six weeks. He was covered by Workmen's Compensation Insurance, the same as other employees of the Highway Department, and received from the insurance company the sum of \$6,100. He was paid an additional amount of \$500.00 for medical expenses; also, you passed, and I approved, House Bill No. 368, which appropriated an additional sum of \$975.00 to the Vaughan Memorial Hospital of Selma for hospital expenses in connection with his injuries.

I understand that Mr. Martin's injuries are most severe. If so, the benefits he has already received may not be adequate. However, it is my considered judgment that forcing the Highway Director to create a job for him, regardless of his ability to work, is not a proper way to grant further payment.

If this same procedure should be followed in other cases where employees become disabled while in the State service, it could seriously affect the efficiency of our State government.

Under the Merit System Law, Mr. Martin is entitled to have his name placed on re-employment lists for work he is capable of doing. In the event of such re-employment he would be compensated, just as any other employee, and would be subject to discipline, just as other employees. Under this bill he is specifically exempted from the Merit System Act and no specific pay is directed.

For the reasons stated above, I am returning the above bill herewith without my approval.

Respectfully,  
GORDON PERSONS,  
Governor.

#### GOVERNOR'S MESSAGE

Mr. Johnson (Chambers) moved that the Senate pass the Bill, S. B. 394.

the Governor's veto to the contrary notwithstanding, which motion was lost.

Yeas 7; Nays 19.

Yeas:

Messrs.:	Faulkner	Robison	Sollie
Andrews	Johnson (Chambers)	Skidmore	Todd

—7

Nays:

Messrs.:	Clayton	Johnston (Mobile)	Quarles
Benson	Eddins	Jones	Reneau
Bonner	Fant	Larkins	Thagard
Boutwell	High	Norrell	Whatley
Byars	Hollis	Phillips	Wright

—19

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 474 with a suggested executive amendment.

Respectfully submitted,  
VERNON MERRITT, JR.,  
Executive Secretary.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 474, with a suggested executive amendment as follows:

Amend Section 1 of Senate Bill No. 474 by striking therefrom the first sentence of amended Section 712 and substituting in lieu thereof the following:

"Within ten days after the end of each month, the judge of probate must remit to the state treasurer at the expense of the state, all money received by him for motor vehicle licenses belonging to the state, and to pay to the county treasurer all the money received by him for motor vehicle licenses belonging to the county, and pay to the town or city treasurer all the money received by him for motor vehicle licenses belonging to the towns or cities, and within the same time the judge of probate shall forward to the comptroller and to the Department of Revenue each a certified list of all motor vehicle licenses issued by him, stating therein the amount collected for each license tag, the number of the tag, the motor number of the vehicle or vehicle identification number in lieu of the motor number and the serial numbers, the name and address of the owner, and the date of the issuance of said tag; and if no licenses have been issued, he shall report that fact.

The above amendment is made at the request of the authors of the bill.

Respectfully,  
GORDON PERSONS,  
Governor.

## GOVERNOR'S MESSAGE

On motion of Mr. Skidmore, the Senate concurred in and adopted the foregoing amendment proposed by His Excellency, the Governor, to the Bill:

S. 474. To amend Section 712, Title 51, Code of Alabama 1940, as amended by Act No. 68, General Acts 1945, page 64, relating to the remittance of moneys and certification of lists of motor vehicles by judge of probate.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Byars	Farmer	Johnson (Chambers)
Andrews	Clayton	Faulkner	Johnston (Mobile)
Bonner	Eddins	High	Jones
Boutwell	Fant	Hollis	Larkins

Locke (Choctaw)	Quarles	Skidmore	Todd
Locke (Perry)	Reneau	Smith	Whatley
Norrell	Richardson	Sollie	Wright
Phillips	Robison	Thagard	—30

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Skidmore
Bonner	High	Locke (Perry)	Smith
Boutwell	Hollis	Norrell	Sollie
Byars	Johnson (Chambers)	Quarles	Thagard
Clayton	Johnston (Mobile)	Reneau	Todd
Eddins	Jones	Richardson	Whatley
Fant	Larkins	Robison	Wright
Farmer			—28

Nays:

—0

Which was a majority of the whole number elected to the Senate.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 1027. To authorize the City of Anniston to sell, or to lease for a period not exceeding ninety-nine (99) years, a tract of land located at the southeast corner of Tenth Street and Leighton Avenue in said City and to provide how the sale or lease is to be made.

was taken up.

Mr. McCary offered the following amendment to the Bill, to-wit:

#### AMENDMENT TO HOUSE BILL 1027:

Amend House Bill 1027 by striking therefrom Section 4 as the same therein appears and by substituting in lieu thereof Section 4 as follows:

Section 4. The deed or lease is to be executed in the name of the City of Anniston by the Chairman of the Board of Commissioners of said City. The deed or lease so executed shall contain a covenant that the property will be used for a public purpose, and no business or commercial building shall ever be constructed or built upon such property. Provided, however, the covenant shall not be drawn so as to prevent the use of the property for an office building or clinic for persons engaged in work connected with the hospital located on the adjoining property.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Reneau
Andrews	Faulkner	Locke (Perry)	Smith
Benson	Foster	McCary	Sollie
Clayton	Johnston (Mobile)	Pinson	Whatley
Eddins	Jones	Quarles	Wright
Fant	Larkins		—21

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Farmer	Locke (Choctaw)	Reneau
Andrews	Faulkner	Locke (Perry)	Smith
Benson	Foster	McCary	Sollie
Clayton	Johnston (Mobile)	Pinson	Whitley
Eddins	Jones	Quarles	Wright
Fant	Larkins		

—21

*Nays:*

—0

The Bill:

H. 950. To amend Section 3 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819), which establishes a county-wide personnel system for all counties of the state having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

was taken up.

Mr. Robison offered the following substitute for the Bill, to-wit:

#### SUBSTITUTE FOR H. B. 950:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 3 of Act No. 528, H. 992, approved September 2, 1949, (Acts of Alabama, 1949, page 819), which establishes a countywide personnel system for all counties of the State having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819) is amended to read:

"Section 3. (a) The Personnel Board shall appoint a Personnel Director whose duty it shall be to act in the capacity of director for the personnel system. He shall act as secretary at Board meetings, and shall be the Board's executive officer, but shall not have a vote in determining the Board's policy. He shall perform the duties herein imposed upon him and such other duties as are assigned to him by the Board. The compensation of the Director shall be fixed by the Board at a sum not to exceed four thousand eight hundred dollars (\$4800.00) per annum. The Director shall:

(1) Attend all meetings of the Personnel Board.

(2) Administer all provisions of this Act and the rules established hereunder, not specifically reserved to the Personnel Board.

(3) Under the directions of the Board, prepare rules, and revisions and amendments thereof for the consideration of the Board.

(4) Under the direction of the Board, prepare a position classification plan and class specifications and provisions thereof, for the consideration of the Board.

(b) The Director shall recommend to the Board and the Board shall establish, after consultation with the governing body of the county and the governing body of municipalities and the elective officials of the county, coming within the provisions of this Act, a pay plan for all exempted or unclassified employees except:

Officials elected by popular vote and, in case of death, resignation, or removal, their legal substitutes.

Members of appointive boards, commissions or committees.

Employees appointed or employed by the county or city board of education.

Persons in the "Classified Service" within the meaning of and subject to the State of Alabama Merit System under any present or future law, and so long as any such law remains effective and any person whose employment is subject to the approval of the United States Government or any agency thereof.

The Register of the Circuit Court, and the bailiff and court reporter appointed by each judge of the Circuit Court.

Any employee receiving his compensation from any elected official.

Attorneys, physicians, surgeons and dentists who serve part time, excepting the City Recorder and City Prosecutor.

The Judge of Juvenile and Court of Domestic Relations.

The County Agent, Assistant County Agent, Home Demonstration Agent and Assistant Home Demonstration Agent."

Section 2. All laws or parts of laws general, local or special, which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	McCary	Skidmore	
Andrews	Golson	Quarles	Smith	
Benson	Johnston (Mobile)	Reneau	Sollie	
Boutwell	Jones	Richardson	Thagard	
Byars	Locke (Choctaw)	Robison	Wright	
Faulkner	Locke (Perry)			—21

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	McCary	Skidmore	
Andrews	Golson	Quarles	Smith	
Benson	Johnston (Mobile)	Reneau	Sollie	
Boutwell	Jones	Richardson	Thagard	
Byars	Locke (Choctaw)	Robison	Wright	
Faulkner	Locke (Perry)			—21

*Nays:* —0

The Bill:

H. 1068. To alter, rearrange and increase the boundaries of the City of Fairfield, Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	Foster	Locke (Perry)	Sollie
Benson	Johnson (Chambers)	Phillips	Thagard
Boutwell	Johnston (Mobile)	Quarles	Whatley
Clayton	Jones	Reneau	Wright
Eddins	Larkins		

—21

*Nays:* —0

The Bill:

H. 1107. To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census; and to assign new and additional duties to some of such officers.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Andrews	Foster	Locke (Perry)	Sollie
Benson	Johnson (Chambers)	Phillips	Thagard
Boutwell	Johnston (Mobile)	Quarles	Whatley
Clayton	Jones	Reneau	Wright
Eddins	Larkins		

—21

*Nays:* —0

#### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Johnston (Mobile), House Bill 974 was indefinitely postponed by the Senate.

On motion of Mr. Todd, House Bill 1116 was indefinitely postponed by the Senate.

On motion of Mr. Phillips, House Bill 1117 was indefinitely postponed by the Senate.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 494. To amend Section 302 of Title 48 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Boutwell	Foster	Johnston (Mobile)
Andrews	Byars	High	Jones
Benson	Clayton	Johnson (Chambers)	Larkins

Locke (Choctaw)	Quarles	Sollie	Whatley	
Locke (Perry)	Robison	Thagard	Wright	
Pinson	Skidmore			—21

Nays: —0

The Bill:

H. 1061. To provide further for the registration and payment of claims against the fine and forfeiture fund of Choctaw County which were outstanding on June 9, 1945.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	Locke (Perry)	Robison	
Andrews	Golson	Phillips	Skidmore	
Boutwell	High	Pinson	Thagard	
Byars	Jones	Quarles	Whatley	
Clayton	Larkins	Richardson	Wright	
Faulkner	Locke (Choctaw)			—21

Nays: —0

The Bill:

H. 1111. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, with-drawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of laws in conflict with this act, and to provide when this act shall become effective.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	Phillips	Skidmore	
Andrews	Johnson (Chambers)	Pinson	Thagard	
Boutwell	Johnston (Mobile)	Reneau	Todd	
Eddins	Larkins	Richardson	Whatley	
Farmer	Locke (Choctaw)	Robison	Wright	
Faulkner	Locke (Perry)			—21

Nays: —0

The Bill:

H. 1112. To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling Liquor, Malt, or Brewed Beverages, as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt



liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	Phillips	Skidmore	
Andrews	Johnson (Chambers)	Pinson	Thagard	
Boutwell	Johnston (Mobile)	Reneau	Todd	
Eddins	Larkins	Richardson	Whatley	
Farmer	Locke (Choctaw)	Robison	Wright	
Faulkner	Locke (Perry)			—21

Nays:

—0

The Bill:

H. 1113. For the relief of George Aster Scrivner.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	Phillips	Skidmore	
Andrews	Johnson (Chambers)	Pinson	Thagard	
Boutwell	Johnston (Mobile)	Reneau	Todd	
Eddins	Larkins	Richardson	Whatley	
Farmer	Locke (Choctaw)	Robison	Wright	
Faulkner	Locke (Perry)			—21

Nays:

—0

The Bill:

H. 1114. For the relief of R. E. LeSueur.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Locke (Choctaw)	Skidmore	
Andrews	High	Phillips	Thagard	
Byars	Johnson (Chambers)	Reneau	Todd	
Clayton	Johnston (Mobile)	Richardson	Whatley	
Faulkner	Jones	Robison	Wright	
Foster	Larkins			—21

Nays:

—0

The Bill:

H. 1115. To amend Section 75 of Title 62 of the Code of Alabama of 1940 relative to the appointment and compensation of a physician as assistant to the coroner of Mobile County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Hollis	McCary	Robison
Boutwell	Johnson (Chambers)	Phillips	Skidmore
Byars	Johnston (Mobile)	Pinson	Thagard
Clayton	Larkins	Reneau	Whatley
Faulkner	Locke (Choctaw)	Richardson	Wright
High	Locke (Perry)		

—21

*Nays:*

—0

The Bill:

H. 1118. Relating to Chilton County: To establish the Board of Revenue and Control of Chilton County and to abolish the Court of County Commissioners of Chilton County; providing for the composition of the Board and for the selection, term, compensation and bond of its members; prescribing the functions, powers, duties and authority of the Board; providing for the employment by the Board of a Clerk and a County Engineer and prescribing their powers, duties, authority and the amount of their bonds; providing for county purchases and prescribing a procedure therefor; to provide for the setting aside of road funds by the Board and for the expenditure thereof; providing for the establishment of a contingent fund; and prescribing penalties for violations of the Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Faulkner	Phillips	Robison
Andrews	Johnson (Chambers)	Pinson	Thagard
Clayton	Johnston (Mobile)	Quarles	Todd
Eddins	Jones	Reneau	Whatley
Fant	Larkins	Richardson	Wright
Farmer	Norrell		

—21

*Nays:*

—0

The Bill:

H. 157. To amend Section 117 of Title 23 of the Code of Alabama (1940), as amended, which relates to the part of the proceeds of the excise tax on gasoline appropriated to the Alabama Highway Finance Corporation.

Was read a third time at length and passed.

Yeas 26; Nays 0.

*Yeas:*

Messrs.:	Farmer	Locke (Choctaw)	Skidmore
Andrews	Faulkner	Locke (Perry)	Sollie
Boutwell	Foster	Pinson	Thagard
Byars	High	Quarles	Todd
Clayton	Hollis	Reneau	Whatley
Eddins	Johnston (Mobile)	Richardson	Wright
Fant	Jones	Robison	

—26

*Nays:*

—0

The Bill:

H. 479. To amend Section 52 of Title 37 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 27; Nays 0.

*Yeas:*

Messrs.:	Farmer	Jones	Reneau
Andrews	Faulkner	Larkins	Richardson
Boutwell	Foster	Locke (Choctaw)	Robison
Byars	High	Locke (Perry)	Skidmore
Clayton	Hollis	Norrell	Sollie
Eddins	Johnson (Chambers)	Pinson	Thagard
Fant	Johnston (Mobile)	Quarles	Whatley

—27

*Nays:*

—0

The Bill:

H. 554. To amend Section 732, Title 37, Code of Alabama (1940), as amended, which relates to the commission of the tax assessor and tax collector for the assessment and collection of municipal taxes.

Was read a third time at length and passed.

Yeas 26; Nays 0.

*Yeas:*

Messrs.:	Farmer	Locke (Perry)	Robison
Andrews	Foster	Norrell	Skidmore
Boutwell	High	Phillips	Smith
Byars	Hollis	Pinson	Sollie
Clayton	Jones	Quarles	Thagard
Eddins	Larkins	Reneau	Whatley
Fant	Locke (Choctaw)	Richardson	

—26

*Nays:*

—0

The Bill:

H. 1121. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Linden in Marengo County, Alabama.

was taken up.

Mr. Eddins offered the following amendment to the Bill, to-wit:

Amend H. B. 1121 by striking therefrom Section 4 thereof.

Which was adopted.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	Hollis	Locke (Perry)	Robison
Andrews	Johnson (Chambers)	Phillips	Skidmore
Boutwell	Johnston (Mobile)	Pinson	Thagard
Eddins	Jones	Quarles	Todd
Fant	Larkins	Reneau	Whatley
Faulkner	Locke (Choctaw)		

—21

*Nays:*

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hollis	Locke (Perry)	Robison
Andrews	Johnson (Chambers)	Phillips	Skidmore
Boutwell	Johnston (Mobile)	Pinson	Thagard
Eddins	Jones	Quarles	Todd
Fant	Larkins	Reneau	Whatley
Faulkner	Locke (Choctaw)		

—21

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 621. To create in all cities in the State of Alabama, having a population of not less than 110,000 and not more than 250,000 according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial Federal Census, special funds to be known as "Municipal Employees Pension and Relief Funds;" to provide for the setting apart of such funds; to create a pension and Relief system applicable to all municipal employees in such cities, except policemen and firemen; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief; and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a capitol board of pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 84; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 84; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 173. To provide that the withdrawal or expenditure of any funds in the State Treasury to the credit of the Agricultural Fund provided for in Title 2, Article 3 of the Code of Alabama of 1940, for the payment of salaries, expenses, equipment, operational costs or maintenance, or for any reason whatsoever, shall be pursuant to budget and allotment as is provided in Title 55, Chapter 4, Article 3 of the Code of Alabama of 1940, and limited to the amounts provided therefor by the Legislature in the general appropriation bill, provided, that the provisions hereof shall not affect the appropriations for payments of rentals made in Act No. 533 and Act No. 749 adopted at the 1951 Regular Session of the Legislature; and to provide that any unappropriated funds remaining in the Agricultural Fund or any unexpended funds remaining in the appropriation to the Department of Agriculture by the Legislature at the end of each fiscal year shall be carried in the State Treasury in the Agricultural Fund.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 71; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 67; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### REPORT FROM RULES

Mr. Clayton, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report with substitute, to-wit:

H. J. R. 131. Relative to appointing a joint Committee to investigate toll roads in the United States, their maintenance, the methods of financing, their earning power, and their effect, and to report to the 1953 Session of the Legislature.

And the Rules Committee reported the following substitute for the Resolution, to-wit:

#### SUBSTITUTE FOR H. J. R. 131

Be it Resolved by the House, the Senate Concurring:

1. A Special joint Committee, to consist of seven members of the House appointed by the Speaker and five members of the Senate appointed by the President of the Senate, is hereby created.

2. The Committee is authorized and directed to hold meetings, to study, to travel, to make investigations and inquiries with respect to toll roads and all of the aspects thereof in the United States, and to frame a report of its activities and doings.

3. The Committee will report, so far as it can ascertain, the general effect, if any, of each toll road system on

(a) the free road system of the state where the toll road system is located

(b) the national highway system

4. The Committee will ascertain and report any unusual feature with respect to any turnpike, and especially with reference to its highway and origin, so far as the Committee may be able to ascertain.

5. The Committee will ascertain and report the method of selecting the members of the toll road authority in each state, the number of members thereof, their terms of office and their compensation and perquisites.

6. The Committee shall make its report to each House within ten days of the beginning of the legislative session on the first Tuesday in May in 1953, with such bills providing for a toll road system in Alabama as the Committee may see fit to propose.

7. The members of the committee shall not receive from the State or any state agency, or from any money appropriated for the Legislature, any compensation for their services or any reimbursement for expenses incurred in performance of their duties, nor shall it have the authority to employ any clerks or assistants payable from state funds.

Which was adopted.

And said Resolution, as thus amended, was then adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 572. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payments of such additional compensation by Tuscaloosa County.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 84; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 84; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 950. To amend Section 3 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819), which establishes a countywide personnel system for all counties of the state having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 238. To create and establish the Alabama Agricultural and Industrial Exhibit Commission, to prescribe the duties of said Commission, and to appropriate for each the fiscal years 1951-52 and 1952-53 to said Commission out of the general funds of the State of Alabama the sum of Fifteen Thousand Dollars (\$15,000.00), which said sum the said Commission, acting with and through the Alabama State Fair Authority, a public corporation, shall use in providing, or paying, premiums, rewards or prizes for beef cattle, dairy cattle, sheep, goats, hogs and other livestock; agricultural shows or exhibits; fine arts (art exhibits, including portraits, paintings, drawings, sculpture and molding of pottery); exhibits of an educational character portraying important phases of community life; educational shows and exhibits for participation therein by students; Home Economics, including cooking, sewing, preserving and other activities of women; exhibits for 4-H Clubs, Future Farmers of America, and Future Homemakers of America; poultry shows or exhibits; rabbit shows or exhibits; dog shows or exhibits; and flower shows or exhibits.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 70; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 70; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Boutwell, House Bills 272, 271, 1028 and 313 were indefinitely postponed by the Senate.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 472. Relating to motor vehicles; amending Section 92, Title 36, Code of Alabama (1940).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Perry)	Skidmore
Andrews	Farmer	McCary	Smith
Benson	Faulkner	Norrell	Thagard
Boutwell	High	Phillips	Todd
Byars	Hollis	Reneau	Whatley
Clayton	Larkins	Robison	Wright
Eddins	Locke (Choctaw)		

—25

Nays:

—0

The Bill:

H. 53. To provide for the issuance of restricted drivers' license.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hollis	McCary	Smith	
Boutwell	Johnston (Mobile)	Norrell	Sollie	
Eddins	Jones	Phillips	Thagard	
Fant	Larkins	Richardson	Todd	
Farmer	Locke (Choctaw)	Robison	Whatley	
Faulkner	Locke (Perry)	Skidmore	Wright	
High				—24

Nays:

—0

The Bill:

H. 427. To amend Section 70 of Title 36 of the Code of Alabama (1940) which relates to the penalty for a person driving a motor vehicle while his license or driving privilege is cancelled, suspended or revoked.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Robison	
Boutwell	Faulkner	McCary	Smith	
Byars	High	Norrell	Thagard	
Clayton	Hollis	Quarles	Todd	
Eddins	Jones	Reneau	Whatley	
Fant	Locke (Choctaw)	Richardson	Wright	
				—23

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 14. Requiring the owners of cattle desiring to brand such cattle to register the brands with the Department of Agriculture and Industries and prescribing a fee therefor; making the presence of such registered brands on cattle evidence of ownership of cattle so branded; to provide for the re-registering and transfer of registered brands; to require the State Department of Agriculture and Industries to furnish copies of registered brands to livestock markets, circuit court clerks, and sheriffs; imposing certain duties relative to the sale and handling of branded cattle upon livestock markets by requiring such markets to keep records of sales, give notice thereof and furnish bills of sale to buyers; to require hide dealers to keep certain records for identification of hides and cattle; to authorize the Department of Agriculture and Industries to promulgate rules and regulations to carry out the provisions of this Act; to provide that certain violations of this Act are unlawful and constitute a misdemeanor; and providing the repeal of other laws in conflict herewith and a date upon which this Act shall become effective.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 78; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 77; Nays 1.



And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 474. To amend Section 712, Title 51, Code of Alabama 1940, as amended by Act No. 68, General Acts 1945, page 64, relating to the remittance of moneys and certification of lists of motor vehicles by judge of probate.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 70, Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 68; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 242. Relating to taxation; to exempt exchanges of cottonseed meal for cottonseed at gins from the sales and use taxes.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Choctaw)	Robison
Benson	Foster	Locke (Perry)	Skidmore
Boutwell	High	McCary	Smith
Byars	Hollis	Phillips	Sollie
Clayton	Johnson (Chambers)	Pinson	Todd
Eddins	Jones	Reneau	Whatley
Fant	Larkins	Richardson	Wright
Farmer			

—28

Nays:

—0

The Bill:

H. 425. To amend Section 64 of Title 36 of the Code of Alabama (1940).

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Clayton	Faulkner	Jones
Benson	Eddins	High	Larkins
Boutwell	Fant	Hollis	Locke (Perry)
Byars	Farmer	Johnson (Chambers)	McCary

Norrell	Robison	Sollie	Whatley	
Phillips	Skidmore	Thagard	Wright	
Quarles	Smith	Todd		—26
Nays:				—0

The Bill:

H. 374. Authorizing and prescribing the procedure for civil proceedings to compel the support of certain persons within and without the state by other persons under a legal obligation to support them.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	High	Locke (Choctaw)	Skidmore	
Benson	Hollis	Locke (Perry)	Smith	
Boutwell	Johnson (Chambers)	McCary	Thagard	
Byars	Johnston (Mobile)	Norrell	Todd	
Clayton	Jones	Pinson	Whatley	
Fant	Larkins	Robison	Wright	
Farmer				—24
Nays:				—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 343, said Governor's message being in words and figures, to-wit:

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 343 with suggested executive amendments.

Respectfully submitted,

VERNON MERRITT, JR.,  
Executive Secretary.

September 6, 1951

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 343, with suggested executive amendments, as follows:

Amend the caption of House Bill No. 343 by striking therefrom the words "one year" and substituting in lieu thereof the words "three years".

Amend Section 1 of House Bill No. 343 by striking therefrom the word "year" and substituting in lieu thereof the word "years".

The above amendments are made at the request of the author of the bill.

Respectfully,

GORDON PERSONS,  
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 343, by a vote of Yeas 82; Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 343. To provide that no charges for dismissal or disciplinary action shall be preferred against any employee in the classified service of the State after the expiration of one year from the date such cause become known to the authority having the power to dismiss or discipline such employee.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 61; Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWIN, JR.,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Reneau, the Senate concurred in and adopted the foregoing amendment proposed by His Excellency, the Governor, to the Bill, H. B. 343, the title of which is set out in the foregoing Message from the House.

Yeas 22; Nays 0.

Yeas:

Messrs.:	High	Locke (Perry)	Smith
Benson	Hollis	Pinson	Sollie
Boutwell	Johnson (Chambers)	Reneau	Todd
Byars	Johnston (Mobile)	Richardson	Whatley
Fant	Larkins	Robison	Wright
Faulkner	Locke (Choctaw)	Skidmore	—22

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	High	McCary	Skidmore
Benson	Hollis	Phillips	Smith
Boutwell	Johnson (Chambers)	Pinson	Sollie
Byars	Johnston (Mobile)	Reneau	Todd
Eddins	Larkins	Richardson	Whatley
Fant	Locke (Choctaw)	Robison	Wright
Faulkner	Locke (Perry)		—25

Nays:

—0

Which was a majority of the whole number elected to the Senate.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 244. To prohibit the use of bait to lure, attract or entice any bird or animal protected by law or regulation of this State. To prohibit traps, snares, poisons, chemicals and other methods of injuring, capturing or killing protected birds and animals. To except fur-bearing animals from the provisions of this Act. To provide a penalty for violating the provisions of this Act. To repeal any law in conflict herewith and to provide when the provisions of this Act shall become effective and for other purposes.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Richardson
Andrews	High	Locke (Perry)	Skidmore
Benson	Hollis	McCary	Smith
Boutwell	Johnson (Chambers)	Phillips	Sollie
Byars	Johnston (Mobile)	Pinson	Whatley
Clayton	Larkins	Reneau	Wright

—23

Nays:

—0

The Bill:

H. 225. To amend Section 14 of Act No. 281, S. 1, 1945 General Acts, page 445.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	High	Norrell	Skidmore
Andrews	Hollis	Phillips	Smith
Benson	Johnston (Mobile)	Pinson	Thagard
Boutwell	Larkins	Reneau	Todd
Byars	Locke (Choctaw)	Richardson	Whatley
Fant	Locke (Perry)	Robison	Wright
Farmer	McCary		

—25

Nays:

—0

The Bill:

H. 352. To amend Section 218, Title 8 of the Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Perry)	Skidmore
Andrews	High	McCary	Smith
Benson	Hollis	Pinson	Thagard
Boutwell	Johnston (Mobile)	Reneau	Todd
Byars	Larkins	Richardson	Whatley
Clayton	Locke (Choctaw)	Robison	Wright

—23

Nays:

—0

## CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Skidmore, House Bill 903 was indefinitely postponed by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 586. To make an appropriation to the State Board of Veterinary Medical Examiners for each of the fiscal years ending September 30, 1952 and September 30, 1953.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 586, the title of which is set out in the foregoing Message from the House:

## AMENDMENT TO S. B. NO. 586

Amend Senate Bill No. 586 by adding thereto Section 1½ immediately following Section 1, to read as follows:

"Section 1½. This Act shall be construed to be supplemental to Act No. 386 of the Legislature of 1951, approved August 8, 1951, the General Appropriations Bill for the two fiscal years ending September 30, 1952, and September 30, 1953, and shall be considered as a part of said General Appropriations Bill."

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Johnston (Mobile)	Reneau
Benson	Fant	Jones	Skidmore
Bonner	Farmer	Larkins	Sollie
Boutwell	Foster	Locke (Choctaw)	Thagard
Byars	High	Locke (Perry)	Whatley
Clayton	Hollis	McCary	Wright

—23

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 499. To amend Section 10 of Title 25 of the Code of Alabama of 1940 relating to commissioners or employees of Municipal Authorities interested in property, materials or services in connection with any housing project.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. High, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 499, the title of which is set out in the foregoing Message from the House:

## AMENDMENT TO S. B. 499

Amend Section 1 of the bill by adding thereto the following:

"And nothing herein contained shall prevent commissioners of housing authorities of cities or towns of less than 2,500 population according to the last or any subsequent decennial census of the United States from entering into contracts to supply materials or services to be furnished or used in connection with said housing project provided such contract is entered into as the result of a competitive bid submitted on an invitation advertised for not less than three days."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Skidmore	
Andrews	Farmer	Locke (Perry)	Smith	
Benson	High	Norrell	Sollie	
Boutwell	Hollis	Reneau	Thagard	
Byars	Johnson (Chambers)	Richardson	Whatley	
Clayton	Jones	Robison	Wright	
Eddins	Larkins			—25

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 541. To impose new and additional duties on the solicitor of the Sixteenth Judicial Circuit; to provide him additional compensation for the performance of such duties and provide for the method of paying such compensation.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. High, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 541, the title of which is set out in the foregoing Message from the House:

## SUBSTITUTE FOR S. B. 541

A BILL  
TO BE ENTITLED  
AN ACT

To impose new and additional duties on the solicitor of the Sixteenth Judicial Circuit; to provide him additional compensation for the performance of such duties and provide for the method of paying such compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The Solicitor of the Sixteenth Judicial Circuit shall carefully check and investigate the accountings, settlements and reports to the probate and equity courts in the circuit of guardians appointed by them, to determine if there have been any violations of the criminal laws in the management of the estates of the wards of the guardians.

Section 2. For the performance of the new and additional duties imposed upon him by this Act the Solicitor of the Sixteenth Judicial Circuit shall receive, in addition to all compensation heretofore provided for him, the sum of Five Hundred dollars (\$500.00) per annum to be paid out of the treasuries of the counties composing the circuit in equal monthly installments. The county in the circuit having the large population shall pay eighty per cent of such sum and the county having the smaller population shall pay twenty per cent of such sum. In the event that the Sixteenth Judicial Circuit shall be re-arranged so as to include only one county, the entire sum herein provided shall be paid out of the treasury of the county composing the circuit.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Foster	Phillips	Robison
Andrews	High	Pinson	Skidmore
Benson	Hollis	Quarles	Smith
Clayton	Johnson (Chambers)	Reneau	Sollie
Eddins	Locke (Choclaw)	Richardson	Whatley
Faulkner	Locke (Perry)		
			—21

Nays: —0

# MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and has passed the following Senate bill:

S. 84. To revise Article 2 of Chapter 20, Title 7 of the 1940 Code, which relates to proceedings in rem to establish title to land, by amending Sections 1116, 1117, 1118, 1121, 1122, 1123, 1126 and repealing Sections 1128 through 1130 thereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

# HOUSE MESSAGE

On motion of Mr. Robison, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 84, the title of which is set out in the foregoing Message from the House:

## SUBSTITUTE FOR S. B. 84

### A BILL TO BE ENTITLED AN ACT

To revise Article 2 of Chapter 20, Title 7 of the 1940 Code, which re-

lates to proceedings in rem to establish title to land, by amending Sections 1116, 1117, 1118, 1121, 1122, 1123, 1126 and 1128, and repealing Sections 1129 through 1130 thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1116 of Title 7 of the 1940 Code is amended to read as follows: "When any person, natural or artificial, claims either in his own right or in any representative capacity whatsoever, to own any lands or any interest therein, and is in the actual, peaceable possession of the land, or if neither he nor any other person is in the actual possession of the lands, and he holds and has held color of title to the lands, or interest so claimed, for a period of ten or more consecutive years next preceding, and has paid taxes on the lands or interest during the whole of such period, or if he, together with those through whom he claims, have held color of title, and paid taxes on the land or interest so claimed during the whole of such period of time, or if he and those through whom he claims have paid taxes during the whole of such period of ten years on the lands or interest claimed, and no other person has paid taxes thereon during any part of said period, he may, if no suit is pending to test his title to, interest in, or his right to the possession of such lands, file a verified bill of complaint in the Circuit Court in Equity of the County in which such lands lie, against said lands and any and all persons claiming or reputed to claim any title to, interest in, lien or encumbrance on said lands, or any part thereof, to establish the right or title to such lands, or interest, and to clear up all doubts or disputes concerning the same."

Section 2. Section 1117 of Title 7 of the 1940 Code is amended to read as follows: "A bill under this article must be brought against the land or the interest therein sought to be established. It must describe said land, or the interest therein sought to be established, with certainty, and state specifically what claim, title, or interest in or to said lands complainant claims to have, and from whom and how such interest or title so claimed in or to said lands was obtained. It shall also make party or parties respondent to said bill all persons against whom complainant claims title to said lands, or the interest therein sought to be established, and if the names of such persons cannot be ascertained by complainants with certainty they may be designated and joined as unknown parties. Such bill shall also make party or parties respondent thereto all persons who are known to complainant to have had possession of said lands or any part thereof within 10 years next preceding the filing of the bill, or who are known to complainant to claim said lands or any part thereof, or any interest therein, whether such interest be present, future, contingent, reversionary or otherwise. Such bill shall also make party or parties respondent thereto all persons who have at any time within 10 years next preceding the filing of the bill assessed or paid any taxes upon said lands, or any interest therein; provided, however, that those parties appearing in the chain of title who have voluntarily conveyed their interest or interests in said lands to complainant, or to those through whom complainant derives title, need not be made parties to said bill of complaint. The ages and addresses of all respondents to the bill of complaint shall be stated in the bill, if known, and if any are known or suspected to be of unsound mind this fact shall also be alleged. Should any of the persons mentioned in this section, at the time of the filing of the bill of complaint, be deceased, and such fact be known to complainant, his heirs or devisees shall be made parties in his stead. Should complainant, after exercising reasonable diligence be unable to locate the whereabouts, and to ascertain with certainty whether any such respondent is alive at the time of the filing of the bill, the facts showing just what diligence the complainant has exercised must be specifically alleged in the bill, and such respondent may then be made



a party in his name followed by the words: "—and his heirs or devisees, if deceased," and a valid decree may be rendered against such respondent, binding on both him and his heirs or devisees, regardless of whether it be later shown that such respondent was or was not living at the time of the filing of the bill of complaint."

Section 3. Section 1118 of Title 7 of the 1940 Code is amended to read as follows: "If any of the parties set out in the preceding section, whose names are known, reside in the State of Alabama, a copy of the bill must be served upon them, in the same manner that process is served on defendants in suits in equity. If any of the aforementioned parties reside out of the State, and addresses are known, a summons, together with a copy of said bill, shall be sent by the Register of the Court in which the proceedings is pending to such parties by Registered Mail, postage prepaid, marked 'For Delivery to Addressee Only', and return receipt demanded, addressed to the Register of the Court in which the proceeding is pending. The publication notice provided in Sections 1119, 1120 and 1121 below shall in all respects serve as notice to unknown parties, whose whereabouts are not known, and parties who conceal themselves so that the process cannot be served on them, and no other advertising or other form of notice shall be required as to such parties. However, the Register shall take the same form of affidavit as to such parties, as is required under the present Equity Rule 6, Sections (a) and (b). All respondents shall have 30 days from the date of service to plead, answer or demur to the bill, and those served by publication shall have 30 days after the perfection of such service so to plead, answer or demur, and in default of answers by any respondents, decrees pro confesso shall be rendered against them in accordance with equity practice."

Section 4. Section 1121 of Title 7 of the 1940 Code is amended to read as follows: "Said notice shall be addressed to all respondents to the suit, and shall set out the addresses of all such respondents, if known. However, this shall not be construed as an attempt to perfect service on respondents, whose addresses are known, this being accomplished by a service of a summons and a copy of the bill, as set out in Section 1118, as amended. In the event said notice is addressed either to unknown parties, parties whose whereabouts are not known, or parties who conceal themselves so that process cannot be served, said notice shall direct said parties to plead, answer or demur to the bill of complaint before a day therein named, not less than thirty days after the perfection of service or suffer decrees pro confesso to be rendered against them,—it being intended that said notice shall be used to perfect service against all parties who cannot be personally served with a copy of the bill of complaint."

"Said notice shall also set out the date of the filing of the bill of complaint and the fact that it is filed against the land, or the interest therein, in controversy. It shall also contain an accurate description of the land, or interest therein, which is the subject matter of the suit, and shall state by what title complainant claims said land, or the interest therein which is sought to be established, and from whom and how such interest or title so claimed was obtained.

Section 5. Section 1122 of Title 7 of the 1940 Code is amended to read as follows: "The cause shall be at issue at the expiration of sixty days from the first publication of the notice, as provided in Section 1119, and from the filing of a certified copy of said notice in the Probate Court in the County where the lands, or a portion thereof, lie; provided that all respondents have answered or have suffered decrees pro confesso to be taken against them and at least one day has elapsed since the rendition of said decrees pro confesso, and provided that any demurrers filed

against the bill have been passed on and disposed of by the Court, and the guardian ad litem, if any, has answered the bill of complaint."

Section 6. Section 1123 of Title 7 of the 1940 Code is amended to read as follows: "Against all parties to the bill of complaint who have made no answer thereto within the time allowed for such purpose, and against all persons not intervening in said cause and claiming an interest in said lands prior to the time the cause became at issue, proof of actual, peaceable possession by complainant and color of title to said lands in complainant shall be conclusive evidence of title to said lands in complainant."

"Against all persons who have neither paid any taxes upon said lands nor had any possession thereof, or of any part thereof, during the five years next preceding the filing of the bill of complaint, and against all parties to the bill of complaint who have made no answer thereto within the time allowed for such purpose, and against all persons not intervening in said cause and claiming an interest in said lands prior to the time the cause became at issue, proof of color of title to said lands in complainant, or in complainant and those through whom he claims title, and payment of taxes during said five year period by complainant, or by complainant and those through whom he claims title, or proof of exclusive payment of taxes by complainant, or by complainant and those through whom he claims title, during said five year period, shall be prima facie evidence of title to said lands in complainant. Against all persons who have neither paid any taxes upon said lands nor had any possession thereof, or of any part thereof, during the ten years next preceding the filing of the bill of complaint, and against all parties to the bill of complaint who have made no answer thereto within the time allowed for such purpose, and against all persons not intervening in said cause and claiming an interest in said lands prior to the time the cause became at issue, proof of color of title to said lands in complainant, or in complainant and those through whom he claims title, and payment of taxes during said ten year period by complainant, or by complainant and those through whom he claims title, or proof of exclusive payment of taxes by complainant, or by complainant and those through whom he claims title, during said ten year period, shall be conclusive evidence of title to said lands in complainant."

Section 7. Section 1126 of Title 7 of the 1940 Code is amended to read as follows: "If, upon the hearing of the cause set out under Section 1122, the title to the lands, or any part of the lands, described in the bill of complaint, or any interest claimed by complainant or cross-complainant in said property, or any part thereof, be duly proved, the court shall decree the title to such property, or the interest therein claimed in the bill of complaint to be in complainant or cross-complainant, or partly in one and partly in the other, specifying the part in or to which each has title or interest, and such decree shall be binding and conclusive on all parties made respondents in said cause."

Section 8. Section 1128 of Title 7 of the 1940 Code is amended to read as follows: "Any person may, during the pendency of proceedings under this article, and at any time before the rendition of the final decree hereunder, intervene in said cause and file a cross bill therein, and propound his title to the property described in the bill of complaint, or to the interest therein sought to be established."

Section 9. Sections 1129 and 1130 of Title 7 of the 1940 Code are repealed.

Section 10. The provisions of this Act are severable. If any part is declared invalid, such declarations shall not affect the part that remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Skidmore
Benson	Foster	Locke (Choctaw)	Smith
Boutwell	High	Locke (Perry)	Sollie
Byars	Hollis	McCary	Thagard
Clayton	Johnson (Chambers)	Reneau	Todd
Eddins	Johnston (Mobile)	Richardson	Whatley
Fant	Jones	Robison	Wright

—27

Nays:

—0

### BILLS ON THIRD READING RESUMED

The Bill:

H. 259. To amend section 210 of Title 29 of the Code of Alabama of 1940.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

#### SENATE JUDICIARY COMMITTEE AMENDMENT TO H. B. 259

Amend H. B. 259 by striking from said bill beginning on the fourth line from the bottom the following: "or (2) unless such person has expressly waived the requirement of a valid Search warrant, found fully cognizant of all the facts incident thereto, and has voluntarily consented to such Search without a valid Search warrant."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Perry)	Skidmore
Andrews	Faulkner	McCary	Smith
Benson	High	Norrell	Sollie
Boutwell	Hollis	Quarles	Thagard
Clayton	Johnson (Chambers)	Reneau	Whatley
Eddins	Jones	Robison	Wright
Fant	Locke (Choctaw)		

—25

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 20; Nays 4.

Yeas:

Messrs.:	High	McCary	Smith
Boutwell	Johnson (Chambers)	Quarles	Sollie
Clayton	Johnston (Mobile)	Reneau	Thagard
Fant	Jones	Richardson	Todd
Farmer	Locke (Perry)	Robison	Wright
Faulkner			

—20

**Nays:**

Messrs.:	Benson	Eddins	Skidmore	
Andrews				—4

**The Bill:**

H. 794. To amend Act No. 531 of the General Acts of Alabama of 1947, (1947 Acts page 388), to designate fees, compensation for Registrars in all Counties in the State of Alabama.

Was read a third time at length and passed.

Yeas 23; Nays 2.

**Yeas:**

Messrs.:	Foster	Larkins	Quarles	
Andrews	High	Locke (Choctaw)	Robison	
Boutwell	Hollis	Locke (Perry)	Skidmore	
Byars	Johnson (Chambers)	McCary	Sollie	
Clayton	Johnston (Mobile)	Norrell	Thagard	
Eddins	Jones	Pinson	Whatley	—23

**Nays:** Messrs. Bonner and Reneau —2

**The Bill:**

H. 52. To provide for reciprocal agreements with other states for the exchange of rights and privileges as to drivers' licenses.

Was read a third time at length and passed.

Yeas 24; Nays 0.

**Yeas:**

Messrs.:	Jones	Phillips	Smith	
Eddins	Larkins	Quarles	Sollie	
Farmer	Locke (Choctaw)	Reneau	Thagard	
Faulkner	Locke (Perry)	Richardson	Todd	
Foster	McCary	Robison	Whatley	
Hollis	Norrell	Skidmore	Wright	—24
Johnston (Mobile)				

**Nays:** —0

**The Bill:**

H. 316. To make appropriations for the fiscal years 1951-52 and 1952-53 to provide facilities for a nurses' educational program in the District Tuberculosis Sanatoria of the State of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Eddins	Jones	Robison	
Andrews	Fant	Larkins	Skidmore	
Benson	Farmer	Locke (Perry)	Smith	
Bonner	Faulkner	Phillips	Sollie	
Boutwell	Foster	Reneau	Whatley	
Byars	High	Richardson	Wright	—25
Clayton	Hollis			

Nays:

—0

The Bill:

H. 185. To amend Title 51, Section 733, Code of Alabama 1940, as amended, which relates to the transporting and distributing of tobacco products where the person or the concerns provided for therein does not have a privilege license as is prescribed in Sections 484 and 485 of this Title.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Richardson
Andrews	Farmer	Larkins	Robison
Benson	Foster	Locke (Choctaw)	Skidmore
Bonner	High	Locke (Perry)	Smith
Boutwell	Hollis	McCary	Sollie
Byars	Johnston (Mobile)	Reneau	Whatley
Clayton			

—24

Nays:

—0

The Bill:

H. 817. Relating to criminal sexual psychopathic persons; providing for the commitment and treatment of such persons after their conviction of a sex offense, and prescribing the procedure therefor; and providing for the further disposition of such persons.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Robison
Andrews	Farmer	Larkins	Skidmore
Benson	Faulkner	Locke (Perry)	Smith
Boutwell	Foster	McCary	Sollie
Byars	High	Pinson	Whatley
Clayton	Hollis	Reneau	Wright
Eddins	Johnston (Mobile)	Richardson	

—26

Nays:

—0

The Bill:

H. 1122. Providing for an election to be held to determine whether or not the boundaries of the City of Troy in Pike County shall be altered, rearranged and extended so as to include within the corporate limits of said City all of Section 4 and the east half of Section 5, Township 9, Range 21, and further providing for the exemption if annexed of farm lands so annexed from City Advalorem Taxation:

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Faulkner	Johnston (Mobile)
Andrews	Eddins	Foster	Jones
Benson	Fant	Johnson (Chambers)	Larkins

Locke (Choctaw)  
Locke (Perry)  
Reneau

Richardson  
Robison  
Skidmore

Smith  
Sollie

Thagard  
Wright

—21

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following joint resolution:

By Mr. Adams (Jefferson):

H. J. R. 131. Relating to appointing a Committee to investigate toll roads in the United States, their maintenance and method of financing their earning power, and their effect and to report to the 1953 Session of the Legislature.

And the Speaker of the House has named as a Committee pursuant to said Resolution Messrs. Adams (Jefferson), Engelhardt, Gallalee, Eslick, Harvey, Garrett, and Black.

R. T. GOODOWN, JR.,  
Clerk.

### COMMITTEE APPOINTED

In accordance with the provisions of House Joint Resolution 131, the President and Presiding Officer of the Senate named as Committee on part of the Senate Messrs. Faulkner, Johnston (Mobile), High, Boutwell and Wright.

### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your standing committee on enrolled bills begs leave to report that said committee, in session, has compared the following enrolled bills and Joint Resolutions with the engrossed and original Bills and Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 673. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, with-drawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of laws in conflict with this act, and to provide when this act shall become effective.

Also:

S. 674. To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling Liquor, Malt or Brewed Beverages, as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like

manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

Also:

S. 675. For the relief of R. E. LeSueur.

Also:

S. 677. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Also:

S. 680. Proposing an amendment to the Constitution of Alabama relating to Colbert County.

Also:

S. J. R. 108. Relative to: Naming Senate Bill 534.

Also:

S. J. R. 109. Relative to: The untimely passing of the Honorable Robert Joseph Lowe of Madison County, Alabama.

Also:

S. J. R. 110. Relative to: Naming Senate Bills 290, 291, 277, 119, 251, 252, 280, 281, 227, 274, 276, 152.

Also:

S. J. R. 111. Relative to: Naming Senate Bill 476.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions and House Bills, your signature thereto is requested.

H. J. R. 144. Relative to thanking Brown Printing Company and Mr. Herbert Nation.

Also:

H. 687. To amend Sections (1), (2), (8), (9), (10), (12), and (14) of an act designated as No. 590, H. 392, General Acts of Alabama of 1939, page 958, and entitled: "To impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this state of certain motor fuels when used to operate motor vehicles upon the highways: To

define the term motor fuel as used herein: To fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto." approved June 27, 1940.

Also:

H. 872. To amend "An Act to Abolish Bills of Exception in the Circuit Court and courts of like jurisdiction and all other courts of record having a full time Court Reporter and from which appeals lie directly to the Court of Appeals or the Supreme Court of Alabama in cases at law, and to provide for the evidence to be transcribed and made a part of the record and for assignments of error on the record," approved July 12, 1943.

Also:

H. 652. To fix and designate the salary of Supernumerary Circuit Judges, their tenure of office and to prescribe their duties, and to refund to them their reasonable expenses for travel and hotel bills while engaged in their official duties in counties other than that of their residence.

Also:

H. J. R. 138. Relative to designating House Bills 544, 545, 546, and 547.

Also:

H. J. R. 141. Relative to authorizing the Clerk of the House and Secretary of Senate to employ stenographer, secretary, or clerk while Legislature is not in session.

Also:

H. J. R. 143. Relative to designating H. 1017.

Also:

H. J. R. 146. Relative to joint session to hear the Governor.

Also:

H. J. R. 145. Relative to traffic safety laws of the State.

Also:

H. J. R. 147. Relative to designating H. 635.

Also:

H. J. R. 128. Relative to the highway or road and bridge program in Jackson County.

Also:

H. 494. To amend Section 302 of Title 48 of the Code of Alabama of 1940.

Also:



H. 1068. To alter, rearrange and increase the boundaries of the City of Fairfield, Jefferson County, Alabama.

Also:

H. 1107. To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census; and to assign new and additional duties to some of such officers.

Also:

H. 157. To amend Section 117 of Title 23 of the Code of Alabama (1940), as amended, which relates to the part of the proceeds of the excise tax on gasoline appropriated to the Alabama Highway Finance Corporation.

Also:

H. 479. To amend Section 52 of Title 37 of the Code of Alabama of 1940.

Also:

H. 554. To amend Section 732, Title 37, Code of Alabama (1940), as amended, which relates to the commission of the tax assessor and tax collector for the assessment and collection of municipal taxes.

Also:

H. 1061. To provide further for the registration and payment of claims against the fine and forfeiture fund of Choctaw County which were outstanding on June 9, 1945.

Also:

H. 1111. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in Tuscaloosa County either by wholesale or retail quantities, malt or brewed beverages, including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more alcohol by volume, not to exceed one and one-half cents on each twelve fluid ounces or fractional part thereof; to authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; to make provision for the use of the funds derived from said privilege tax; to provide penalties for the violation of such rules and regulations; to repeal all laws and parts of laws in conflict with this act, and to provide when this act shall become effective.

Also:

H. 1112. To authorize each City or Town within the County of Tuscaloosa to levy and collect a privilege or license tax on each person, firm or corporation lawfully engaged in the business of selling Liquor, Malt or Brewed Beverages, as such terms are defined in Section 1 of Title 29 of the 1940 Code of Alabama, or other spirituous, vinous or malt liquors, in the respective police jurisdictions of said cities and towns outside of the corporate limits thereof to the same extent and in like manner and amount as is levied and collected as a license for engaging in like business within the corporate limits of such city or town respectively.

Also:

H. 1113. For the relief of George Aster Scrivner.

Also:

H. 1114. For the relief of R. E. LeSueur.

Also:

H. 1115. To amend Section 75 of Title 62 of the Code of Alabama of 1940 relative to the appointment and compensation of a physician as assistant to the coroner of Mobile County, Alabama.

Also:

H. 1118. Relating to Chilton County: To establish the Board of Revenue and Control of Chilton County and to abolish the Court of County Commissioners of Chilton County; providing for the composition of the Board and for the selection, term, compensation and bond of its members; prescribing the functions, powers, duties and authority of the Board; providing for the employment by the Board of a Clerk and a County Engineer and prescribing their powers, duties, authority and the amount of their bonds; providing for county purchases and prescribing a procedure therefor; to provide for the setting aside of road funds by the Board and for the expenditure thereof; providing for the establishment of a contingent fund; and prescribing penalties for violations of the Act.

Also:

H. 52. To provide for reciprocal agreements with other states for the exchange of rights and privileges as to drivers' licenses.

Also:

H. 53. To provide for the issuance of restricted drivers' licenses.

Also:

H. 427. To amend Section 70 of Title 36 of the Code of Alabama (1940) which relates to the penalty for a person driving a motor vehicle while his license or driving privilege is cancelled, suspended or revoked.

Also:

H. 472. Relating to motor vehicles; amending Section 92, Title 36, Code of Alabama (1940).

Also:

H. 794. To amend Act No. 531 of the General Acts of Alabama of 1947, (1947 Acts page 388), to designate fees, compensation for Registrars in all Counties in the State of Alabama.

Also:

H. 1122. Providing for an election to be held to determine whether or not the boundaries of the City of Troy in Pike County shall be altered, re-arranged and extended so as to include within the corporate limits of said City all of Section 4 and the East Half of Section 5, Township 9, Range 21, and further providing for the exemption if annexed of farm lands so annexed from city advalorem taxation:

Also:

H. 242. Relating to taxation; to exempt exchanges of cottonseed meal for cottonseed at gins from the sales and use taxes.

Also:

H. 374. Authorizing and prescribing the procedure for civil proceedings to compel the support of certain persons within and without the state by other persons under a legal obligation to support them.

Also:

H. 425. To amend Section 64 of Title 36 of the Code of Alabama (1940).

Also:

H. 950. To amend Section 3 of Act No. 528, H. 992, approved September 2, 1949 (Acts of Alabama, 1949, page 819), which establishes a county-wide personnel system for all counties of the state having a population of not less than 100,000 and not more than 140,000 and for municipalities in such counties having a population of 5,000 or more.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 374. To regulate the sale and advertising for sale of used or reclaimed lubricating oil by requiring that such oil shall be sold in closed and sealed containers; prescribing the manner in which such containers shall be labeled; prescribing certain requirements for advertising reclaimed oil for sale; requiring the Commissioner of Agriculture and Industries to execute the provisions of this Act; providing for suspension from sale, seizure and condemnation of reclaimed oil offered for sale in violation of this Act and prescribing a penalty for violations of this Act.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Locke (Choctaw) the Senate concurred in and adopted the following House amendment to the bill, S. B. 374, the title of which is set out in the foregoing Message from the House:

Substitute to S. B. 374.

### A BILL TO BE ENTITLED AN ACT

To regulate the sale and advertising for sale of reclaimed or re-refined lubricating oil by requiring that such oil shall be sold in labeled containers; prescribing the manner in which such containers shall be labeled; prescribing certain requirements for advertising reclaimed oil for sale; requiring the Commissioner of Agriculture and Industries to execute the provisions of this Act; providing for suspension from sale,

seizure and condemnation of reclaimed oil offered for sale in violation of this Act and prescribing a penalty for violations of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm, corporation or association to sell, offer for sale, or keep for sale in the State of Alabama, reclaimed or re-refined oil as hereinafter defined, unless such oil is in a container bearing a label on which there shall be expressed the brand or trade name of the oil; the name and address of the person, firm, corporation or association who has reclaimed, reprocessed or re-refined such oil and placed it in the container; the S.A.E. (Society of Automotive Engineers) viscosity number; the net quantity of each container expressed in standard liquid measure, and the words "RECLAIMED OIL" or "RE-REFINED OIL" in letters as large and conspicuous as any other letters thereon, except the trade name of such oil, and such letters shall not be obscured by other words, legend, color or otherwise. The term "Reclaimed Oil" or "Re-Refined Oil" as used in this Act shall mean any lubricating oil, lubricant or motor lubricating oil which has been previously used in whole or in part when such oil has been reprocessed, re-refined or in any manner reclaimed regardless of the quality of the oil, or of the method of reprocessing, re-refining or reclaiming of the oil or of the intended use of such oil. Provided, however, the provisions of this Act shall not apply to oil sold to the consumer on or from the premises of a person, firm or corporation where the reclaimed or re-refined oil is reclaimed, reprocessed or re-refined on such premises.

Section 2. It shall be unlawful for any person, firm, corporation or association to advertise, publicize or circulate advertising material or to use display advertising to promote the sale of reclaimed oil or re-refined oil in the State of Alabama, unless such advertising material or displays include a statement that the oil offered for sale is reclaimed or re-refined oil and such statement shall be in letters as large as any other letters used in such advertising material or advertising displays, except the trade name of such oil.

Section 3. The Commissioner of Agriculture and Industries is charged with the execution and enforcement of this Act. Any reclaimed or re-refined oil kept for sale or offered for sale in violation of any of the provisions of this Act shall be subject to suspension from sale, seizure and condemnation in accordance with the provisions of Title 2, Article 33, Sections 494-503, Code of Alabama of 1940.

Section 4. Any person, firm, corporation or association violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction, shall be fined not more than Two Hundred and Fifty (\$250.00) Dollars.

Section 5. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Reneau
Benson	Farmer	Locke (Choctaw)	Richardson
Boutwell	Foster	Locke (Perry)	Robison
Byars	High	McCary	Skidmore
Clayton	Hollis	Norrell	Todd
Eddins	Johnson (Chambers)	Phillips	Wright

Nays:

—0

## BILLS ON THIRD READING RESUMED

The Bill:

H. 186. To amend Title 51, Section 573, Code of Alabama 1940, as amended, which relates to the license tax on playing cards.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Fant	Larkins	Skidmore
Andrews	Farmer	McCary	Smith
Benson	Faulkner	Norrell	Sollie
Boutwell	High	Quarles	Thagard
Byars	Hollis	Reneau	Whatley
Clayton	Jones	Robison	Wright
Eddins			

—24

Nays:

—0

## CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Robison, House Bill 402 was indefinitely postponed by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 1121. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Linden in Marengo County, Alabama.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House Messrs. Harrison (Wilcox), Crocker and McKee.

R. T. GOODWYN, JR.,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Eddins, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1121, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Eddins, Locke (Choctaw) and Locke (Perry).

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 21. To amend Title 36, Article 2, Section 75, Code of Alabama 1940, to provide that the requirements which are contained therein shall include that the motor vehicle shall have a current and valid license tag of the proper classification in addition to the other requirements

now made in said code section, and further that it shall be the duty of all law enforcement officers of this state to enforce said section.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. McCary, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 21, the title of which is set out in the foregoing Message from the House:

### AMENDMENT TO S. B. 21

Amend Section 1 of Senate Bill 21 by striking the words "of the proper classification or license plate as prescribed".

And further amend Section 2 by striking the words beginning in Line 4 (and in Line 4 substitute a period for a comma)

"and in addition thereto shall be prohibited from driving a motor vehicle in Alabama for a period of not less than sixty days nor more than six months."

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Perry)	Robison	
Andrews	Farmer	McCary	Skidmore	
Boutwell	Foster	Norrell	Smith	
Byars	Johnson (Chambers)	Phillips	Thagard	
Clayton	Jones	Reneau	Todd	
Eddins	Locke (Choctaw)	Richardson		—22

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 366. To amend Section 17 of an Act entitled "An Act to provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws", approved August 19, 1949.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 366, the title of which is set out in the foregoing Message from the House:

Substitute for S. B. 366.

### A BILL TO BE ENTITLED AN ACT

To amend Section 17 of an Act entitled "An Act to provide for ab-

sentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws," approved August 19, 1949.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 17 of an Act Entitled "An Act to provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws," approved August 19, 1949, shall be and the same is hereby amended to read in words and figures as follows:

"Section 17. For his services under this Act during the twenty days prior to each election to which this act pertains and for his services on the day of the election, the register, or person acting in his stead, shall be paid the sum of ten dollars (\$10) daily. Such payment shall be made from the county treasury, except in the case of a municipal election held at a time different from a primary or general election, in which event payment shall be from the city or town treasury. Provided, no municipal officer or regular employee shall be compensated for his services in this regard."

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval or its otherwise becoming a law.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fant	Locke (Choctaw)	Reneau
Andrews	Farmer	Locke (Perry)	Richardson
Benson	Foster	McCary	Robison
Boutwell	High	Norrell	Skidmore
Clayton	Johnson (Chambers)	Phillips	Thagard
Eddins	Jones		

—21

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills:

S. 150. Relating to the assessment of Solicitor's fees as a part of the cost of appeals from judgment rendered in Municipal Courts.

Also:

S. 242. To amend Section 996 of Title 7 of the Code of Alabama, 1940, which relates to when process of garnishment may be obtained.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 150, the title of which is set out in the foregoing Message from the House:

## AMENDMENT TO SENATE BILL 150

Amend Section 1 of Senate Bill 150 by adding at the end of said Section the following words: "provided that the provisions of this Act shall not apply to cities having a population of more than twenty thousand."

Yeas 18; Nays 0.

*Yeas:*

Messrs.:	Eddins	Jones	Richardson	
Andrews	Fant	Locke (Choctaw)	Robison	
Benson	Farmer	McCary	Skidmore	
Boutwell	Foster	Norrell	Thagard	
Clayton	High	Reneau		—18

*Nays:*

—0

On motion of Mr. Johnson (Chambers), the Senate concurred in and adopted the following House amendment to the Bill, S. B. 242, the title of which is set out in the foregoing Message from the House:

## SUBSTITUTE FOR SENATE BILL 242

To amend Section 996 of Title 7 of the Code of Alabama, 1940, which relates to when process of garnishment may be obtained.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 996 of Title 7 of the Code of Alabama, 1940, is amended to read: 'The plaintiff in any pending suit for the recovery of money, or the plaintiff or assignee in any judgment or decree on which execution can issue may obtain process of garnishment as defined in the preceding section, provided, however, that no garnishment shall issue from any justice of the peace court against the salary or wages of any person until after final judgment or decree shall have been had against said person as defendant, regardless of whether the defendant takes an appeal from such judgment or decree, and provided further, that nothing in this section shall be construed as abridging the right of garnishment in attachment before judgment is obtained.'

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 21; Nays 0.

*Yeas:*

Messrs.:	High	Locke (Perry)	Robison	
Benson	Hollis	McCary	Skidmore	
Boutwell	Johnson (Chambers)	Norrell	Thagard	
Eddins	Jones	Reneau	Todd	
Fant	Larkins	Richardson	Wright	
Farmer	Locke (Choctaw)			—21

*Nays:*

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:



By Mr. Reneau:

S. J. R. 112. Relative to having 250 copies of the Governor's and Lt. Governor's address made to the joint session of the two Houses, printed.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 72. To require the expense of publication of the Governor's proclamation concerning any proposed amendment to the Constitution of Alabama to be paid out of the general fund of the State of Alabama; and to make an appropriation for the payment of the same.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Farmer	Locke (Choctaw)	Robison
Andrews	Faulkner	Locke (Perry)	Skidmore
Benson	High	McCary	Sollie
Boutwell	Hollis	Norrell	Thagard
Byars	Johnson (Chambers)	Reneau	Todd
Clayton	Jones	Richardson	Wright
Fant	Larkins		

—25

Nays:

—0

The Bill:

H. 564. Relating to motor vehicles; providing that station wagons, jeeps, and similar vehicles kept for private use as passenger cars shall be taxed, rated, or classified as other passenger automobiles kept for private use.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Eddins	Johnson (Chambers)	Phillips
Andrews	Fant	Jones	Reneau
Benson	Farmer	Locke (Choctaw)	Robison
Boutwell	Foster	Locke (Perry)	Skidmore
Byars	High	McCary	Thagard
Clayton	Hollis	Norrell	

—22

Nays:

—0

The Bill:

H. 865. To appropriate the sum of \$4,475.00 from any funds in the State Treasury not otherwise appropriated to the State Treasurer's office for the fiscal year ending September 30, 1952, and the sum of \$3,600.00 from any funds in the State Treasury not otherwise appropriated to the State Treasurer's office for the fiscal year ending September 30, 1953.

Was read a third time at length and passed.

Yeas 23; Nays 0.

**Yeas:**

Messrs.:	Fant	Larkins	Richardson
Andrews	Farmer	Locke (Choctaw)	Skidmore
Benson	Faulkner	Locke (Perry)	Sollie
Boutwell	Foster	McCary	Thagard
Clayton	High	Norrell	Todd
Eddins	Jones	Reneau	Wright

—23

**Nays:**

—0

**The Bill:**

H. 848. To amend Section 342, Title 15, Code of Alabama (1940), which relates to the imposition by the court of a sentence to additional hard labor in cases in which the accused is convicted and the costs are not presently paid.

Was read a third time at length and passed.

Yeas 21; Nays 0.

**Yeas:**

Messrs.:	Eddins	Jones	Richardson
Andrews	Fant	Larkins	Robison
Benson	High	Locke (Choctaw)	Skidmore
Boutwell	Hollis	Locke (Perry)	Sollie
Byars	Johnson (Chambers)	Norrell	Wright
Clayton	Johnston (Mobile)		

—21

**Nays:**

—0

**RESOLUTIONS**

Mr. Robison offered the following Joint Resolution, to-wit:

S. J. R. 113. BE IT RESOLVED by the Senate, the House concurring, that S. B. 161, which has passed both Houses, be known as the Robison, Pinson, Dawkins, Tennille, Hall, Sellers and Smith Bill.

On motion of Mr. Robison, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Reneau offered the following Joint Resolution, to-wit:

S. J. R. 114. BE IT RESOLVED by the Senate, the House of Representatives concurring, that S. B. 35, which has passed both Houses be known and be designated as the Reneau, Thagard, Scruggs and Merrill Bill.

On motion of Mr. Reneau, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Thagard offered the following Joint Resolution, to-wit:

S. J. R. 115. BE IT RESOLVED by the Senate, the House concurring, that Senate Bill 66 be known and designated as the Thagard, Reneau, Larkins, Faulkner, Clayton, Foster and Garrett Bill.

On motion of Mr. Thagard, the Rules were suspended and the Resolution adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Report of the Commit-

tee of Conference on the disagreement of the two Houses, on the Senate Amendment to the bill, H. 406. Said report of said Conference being in words and figures as follows:

To the Speaker of the House:

To the President of the Senate:

We, your Committee on Conference appointed to reconcile the differences between the two Houses on the Senate Amendment to House Bill 406, recommend as follows:

We recommend that the Senate recede from its substitute for the Bill and that the following substitute therefor be adopted:

"A BILL  
TO BE ENTITLED  
AN ACT

"To impose extra, new, and additional duties upon the members of the County Governing Body of Clarke County, Alabama; and to provide additional compensation for the performance of such duties.

"Be It Enacted by the Legislature of Alabama:

"Section 1. That, in addition to all other duties now imposed upon them by law, the following extra, new, and additional duties are hereby imposed upon the members of the County Governing Body of Clarke County, Alabama:

"(a) The county governing body shall hold regular meetings on the second Monday in each month of each year; and shall hold special meetings at such times as they may be called by the chairman or president thereof, and at such other times as are now provided by law.

"(b) Each member of the county governing body shall superintend the construction and maintenance of all public roads and bridges in his district and shall make such reports of his activities to the county governing body, from time to time, as are necessary to keep the county governing body informed as to the condition of the public roads and bridges in his district.

"Section 2. That, for the performance of all other duties now imposed upon them by law and the performance of the extra, new, and additional duties hereby imposed upon them, the members of the County Governing Body of Clarke County shall each receive an annual salary of three thousand dollars (\$3,000.00), payable in equal monthly installments, out of the general fund of the county, which annual salary of three thousand dollars (\$3,000.00) shall be in lieu of all other compensation now provided by law.

"Section 3. That neither the chairman or president nor any member of the County Governing Body of Clarke County shall receive any mileage for travel performed within the county in the discharge of his duties.

"Section 4. That the provisions of this Act are severable; and, if any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

"Section 5. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

"Section 6. That this Act shall become effective on the first day

of the first month following the month in which it is passed and approved by the Governor or otherwise becomes a law."

D. C. MATHEWS,  
EMORY McNIDER,  
GREGORY L. OAKLEY.  
Conferees on part of House.

ROBERT LOCKE,  
JUDSON C. LOCKE, SR.  
J. H. FAULKNER,  
Conferees on part of Senate.

The vote being: Yeas 63, Nays 0. And said bill:

H. 406. To impose extra, new, and additional duties upon the members of the county governing body of Clarke County and to provide additional compensation for the performance thereof.

as amended by the report of the Committee of Conference was again read at length and passed by a vote of: Yeas 59; Nays 0.

And said Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Locke (Choctaw), the Senate concurred in and adopted the report of the Committee on Conference to the Bill, H. B. 406, the title of which and said Conference report is set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Faulkner	Locke (Perry)	Skidmore
Andrews	Foster	McCary	Thagard
Benson	Golson	Norrell	Todd
Boutwell	Johnson (Chambers)	Richardson	Whatley
Byars	Johnston (Mobile)	Robison	Wright
Clayton	Locke (Choctaw)		

—21

Nays:

—0

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Todd, further consideration of the Bill, H. B. 740, was indefinitely postponed by the Senate.

Yeas 24; Nays 3.

Yeas:

Messrs.:	Fant	Larkins	Robison
Andrews	Faulkner	Locke (Choctaw)	Smith
Benson	High	Locke (Perry)	Sollie
Bonner	Johnson (Chambers)	McCary	Thagard
Byars	Johnston (Mobile)	Quarles	Todd
Clayton	Jones	Richardson	Wright
Eddins			

—24

Nays: Messrs. Boutwell, Reneau and Skidmore

—3

## BILLS ON THIRD READING RESUMED

The Bill:

H. 346. To allow non-profit incorporated Sportsman Associations which have a membership of not less than twenty-five members to have in possession during any season raccoons and to use them for the purpose of demonstrating the ability of raccoons to resist being taken from a log in waters to the shore by coon dogs and provide for reasonable regulations thereof. To provide the number of raccoons which may be held in captivity by such associations. To further provide when such raccoons may be captured. To provide for a permit for the demonstrations and to provide for the disposition of the funds derived from the sale of such permits.

was taken up.

The Sanding Committee on Fish and Game reported the following amendment to the Bill, to-wit:

## SENATE COMMITTEE AMENDMENT TO H. 346

Amend H. 346 by adding the words "and chickens" immediately after the words "raccoons", "raccoon" or "coon" wherever the same appear in said bill.

On motion of Mr. Eddins, said amendment was laid on the table.

And said Bill was then read a third time at length and passed.

Yeas 16; Nays 8.

Yeas:

Messrs.:	Clayton	Jones	Richardson
Andrews	Fant	Locke (Choctaw)	Smith
Benson	Faulkner	Locke (Perry)	Thagard
Boutwell	High	Reneau	Todd
Byars			

—16

Nays:

Messrs.:	Johnson (Chambers)	Larkins	Robison
Bonner	Johnston (Mobile)	Quarles	Wright
Eddins			

—8

## CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Boutwell, further consideration of the Bill, H. B. 61, was indefinitely postponed by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 676. To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system.

Also:

S. 56. To fix the salary of the State Health Officer.

Also:

S. 231. To amend Title 55, Section 249, of the Code of Alabama 1940, as amended, which relates to the salary of the State Geologist.

Also:

S. 341. To appropriate in addition to all other appropriations and for capital outlay purposes only any and all funds received by the State of Alabama or any department, board, bureau, agency or institution of the State in payment for any loss to property suffered by reason of fire, lightning, windstorm or hail.

Also:

S. 197. To amend Title 46, Section 137 of the Code of Alabama 1940, as amended by Act No. 543, approved July 12, 1943, which relates to the State Board of Registration for Professional Engineers and Land Surveyors.

Also:

S. 536. To make an appropriation to the Alabama Alcoholic Beverage Control Board for the operation of the Beer Tax and License Division.

Also:

S. 455. Relating to criminal procedure; amending Section 7, Title 15, Code of Alabama (1940), which prescribes a rule for addressing petitions in habeas corpus proceedings.

Also:

S. 363. To amend Section 29 of Title 60 of the Code of Alabama (1940), as amended, which relates to the amounts of pensions to be paid to Confederate veterans and their widows.

Also:

S. 230. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Also:

S. 162. To amend Section 8 of Title 60 of the Code of Alabama, 1940, as amended, which relates to pensions of widows of Confederate veterans.

Also:

S. 260. To make an appropriation for the support of the Council of State Governments.

Also:

S. 343. To amend Title 55, Section 291, Code of Alabama of 1940, which relates to care and upkeep of White House of the Confederacy.

Also:

S. 257. To repeal Section 2 of Act No. 605, approved October 2, 1947, entitled "An Act To make appropriations to Alabama Polytechnic Institute for constructing, equipping, furnishing, maintaining and operating a farm-machinery building and laboratory and farm-machinery experimentation and teaching facilities".

Also:

S. 597. To transfer the fund appropriated by Act No. 559, S. 285, approved July 7, 1943 (General Acts, 1943, p. 551) to the State Building Commission, and to provide for the use thereof.

Also:

S. 533. To Provide for the Creation of a Commission on Uniform State Laws, the Appointment of Commissioners Thereto, and Making an Appropriation for the Same.

Also:

S. 344. To amend Section 3 of Act No. 115, approved June 16, 1945 which relates to appropriation to Commission on Education with respect to Alcoholism.

Also:

S. 634. To amend Section XVI, subsections A and B of Act No. 386, approved August 8, 1951, General Acts of 1951.

Also:

S. 258. To amend Section 3 of Act No. 62, approved November 1, 1950, which relates to the Department of Examiners of Public Accounts.

Also:

S. 671. To amend Act No. 49, General Acts of Alabama 1947, approved 1 July 1947.

Also:

S. 425. To provide for the further protection of fish, To make it unlawful for any person to take, catch, kill or attempt to take, catch or kill fish at any time by any device or means or by the use of dynamite or other explosives, poison or other deleterious material in any of the private ponds, private lakes, private pools or private reservoirs of this State, without permission of the owner thereof. To provide for penalties for the violation of any of the provisions of this Act. To provide for the disposition of fines, forfeitures and penalties arising from violations of this Act. To repeal Sections 69 and 75, Title 8 of the 1940 Code of Alabama. To repeal all laws in conflict herewith and to provide for the time when this Act shall become effective and for other purposes.

Also:

S. 161. To make appropriations for the promotion of Blue and Gray Day in Alabama.

Also:

S. 82. Relating to the assessment of costs on proceeding brought to quiet title under the provisions of Title 7, Chapter 32, Article 2 of the Code of Alabama of 1940.

Also:

S. 83. Relating to the appointment of a Guardian Ad Litem for infants, persons of unsound mind or unknown parties, where proceeding is brought to quiet title, under the provisions of Title 7, Chapter 32, Article 2 of the Code of Alabama of 1940.

Also:

S. 302. Relating to estrays; providing for the seizure, holding, and sale of animals found running at large.

Also:

S. 35. To amend an act entitled "An Act to amend Section 46 of Title 61 of the 1940 Code of Alabama, to provide for the probate and record in the courts of the State of Alabama, of wills previously admitted to probate and record established in courts of other states, territories, districts and countries subject to the jurisdiction of the United States of America,

and of foreign countries not subject to the jurisdiction of the United States of America." Approved June 23rd, 1945, General Acts 1945, Page 193.

Also:

S. 329. To make an appropriation to the State Building Commission for making repairs at the State Training School for Girls.

Also:

S. 66. To amend further Section 2 of Act No. 669, H. 792, approved July 5, 1940, which Act is known as the "Alabama Motor Carrier Act of 1939" (Acts, 1939, pp. 1064-1090).

Also:

S. 299. To amend Section 222, Title 52, Code of Alabama 1940; which relates to place and method of payment of warrants.

Also:

S. 326. To amend Section 19 of Title 47 of the Code of Alabama of 1940, as amended July 6, 1945, so as to embrace in said Section as amended conveyances of joint tenancy in which the grantor is also a co-grantee.

Also:

S. 345. To amend Section 6 (e) (1) of Act No. 48, H. B. 34, approved November 3, 1950 entitled "An Act To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor".

Also:

S. 491. Relating to city treasurers; amending Section 446, Title 37, Code of Alabama (1940).

Also:

S. 347. To repeal Section 13 of Act No. 515, approved July 9, 1945, entitled "An Act To establish an Employees' Retirement System: to determine membership and conditions of membership in said system; to provide for a board of control of said system and for the administration of its affairs; to provide for officers and a medical board and to define their duties; to provide for the adoption of mortality, service and other actuarial tables as may be deemed necessary; to provide for the management of the funds of the said system; to provide a method of financing said system; and to provide an appropriation to carry out the provisions of the Act".

Also:

S. 368. Relating to the perpetuation of testimony; amending Sections 495 and 496, Title 7, Code of Alabama (1940).

Also:

S. 265. To require the Clerk of the Supreme Court and the Clerk of the Court of Appeals to furnish a certified copy of each opinion rendered by such courts to the judge trying the case in the lower court.

Also:

S. 289. To propose and to provide for the submission of an amendment to the Constitution of Alabama conferring on the municipalities of Tuscumbia, Sheffield, Hurtsboro, Russellville, Lanett, Pell City, Heflin, Carrollton, Opelika, Fairhope, Pine Hill, Scottsboro, Stevenson, Brewton, Pollard, Flomaton, Atmore, Tuskegee, Aliceville, Gordo, Reform, Livingston, Camden, Monroeville, Phenix City, Florence, Huntsville, Athens, Auburn, and LaFayette, in lieu of the power conferred by Amendment No. VIII to said constitution to levy and collect an ad va-



lorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) for the purpose of paying bonds and the interest thereon, the power to levy and collect such tax for the purpose of paying the principal of and the interest on bonds and warrants, whether outstanding at the time of the adoption of the amendment proposed by this act or issued thereafter; conferring on the municipalities of Roanoke, Florala, Opp, Evergreen, Fayette, Clayton and Clio, in lieu of the power conferred by Amendment No. XVII to said constitution to levy and collect an ad valorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) for the purpose of paying bonds or indebtedness and the interest thereon, the power to levy and collect such tax for the purpose of paying bonds or indebtedness and the interest thereon outstanding at the time of the adoption of the amendment proposed in this act and for the purpose of paying the principal of and the interest on bonds and warrants, whether outstanding at the time of the adoption of said proposed amendment or issued thereafter; and authorizing each of the named municipalities to pledge for the benefit of any bonds, warrants, notes or other evidences of indebtedness issued after the adoption of said proposed amendment the proceeds from the tax which such municipality is authorized to levy by said proposed amendment; and providing that, unless otherwise provided in the proceedings authorizing their issuance, any securities for the benefit of which such pledge is made shall take precedence, in the order of their issuance, as charges on said tax proceeds prior to any securities issued after the adoption of said proposed amendment with respect to which no such pledge is made.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 470. Relating to the distribution, sale, or transportation of adulterated or misbranded insecticides, fungicides, rodenticides, herbicides and other economic poisons; regulating traffic therein; providing for registration and examination of such materials, imposing penalties, and for other purposes.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Johnston (Mobile)	Reneau
Andrews	Fant	Jones	Richardson
Benson	Faulkner	Larkins	Skidmore
Bonner	Foster	McCary	Smith
Boutwell	Hollis	Norrell	Sollie
Byars	Johnson (Chambers)	Quarles	Todd
Clayton			

—24

Nays:

—0

The Bill:

H. 998. To make an additional appropriation to the Department of Archives and History to increase the salaries of the military and the civil archivist and the senior librarian.

Was read a third time at length and passed.

Yeas 22; Nays 0.

*Yeas:*

Messrs.:	Clayton	Hollis	Quarles	
Andrews	Eddins	Johnson (Chambers)	Richardson	
Benson	Fant	Johnston (Mobile)	Robison	
Bonner	Faulkner	Jones	Skidmore	
Boutwell	Foster	Larkins	Todd	
Byars	High	McCary		—22

*Nays:* —0

The Bill:

H. 232. To provide that in detinue suits for the recovery of household furniture and equipment in which the plaintiff has made affidavit and bond as required by law, service on the defendant may be perfected by the sheriff's or other officer authorized to serve process by leaving a copy of the summons and complaint at the place where the property sued for is located and seized from, and providing for the type of judgment that may be had on such type of service.

Was read a third time at length and passed.

Yeas 24; Nay 1.

*Yeas:*

Messrs.:	Fant	Johnston (Mobile)	Richardson	
Andrews	Faulkner	Jones	Robison	
Benson	Foster	Larkins	Smith	
Boutwell	High	McCary	Sollie	
Byars	Hollis	Norrell	Thagard	
Clayton	Johnson (Chambers)	Quarles	Todd	
Eddins				—24

*Nay:* Mr. Skidmore —1

The Bill:

H. 467. To provide for the inspection and grading of fresh fruits and vegetables grown in Alabama; prescribing the standard grade or grades for such fruits and vegetables; providing for the administration of the Act by the Commissioner of Agriculture and Industries and the Department of Agriculture and Industries; and prescribing penalties for violations of the Act.

was taken up.

The Standing Committee on Agriculture reported the following amendment to the Bill, to-wit:

#### AMENDMENT TO H. B. 467

Section 5 of House Bill No. 467 is hereby amended by striking out all of said Section and substituting in lieu thereof, the following:

"When the State Board of Agriculture and Industries determines that it is for the best interest of producers of fruits and vegetables in a certain area of the State of Alabama and the Board of Agriculture and Industries determines that a better quality and grade of fruits and vegetables will be produced by requiring inspection and grading of such fruits and vegetables the State Board of Agriculture and Industries shall have authority to require that every closed package containing fresh fruits and vegetables shall be, before the same is transported into, within or out of the State of Alabama, subject to Federal and/or State inspec-

tion in accordance with the standard grades established in Section 3 of this Act; that is to say, the State Board of Agriculture and Industries shall have authority to require Federal and/or State inspection of fruits and vegetables and shall further have authority to designate the area in which such inspection requirements shall apply."

#### AMENDMENT TO H. B. 467

Section 6 of House Bill No. 467 is hereby amended by striking out the period at the end of said Section and adding thereto the following words:

"provided, however, that the State Board of Agriculture and Industries shall have authority when it finds that it is for the best interests of producers of fruits and vegetables in any area of the State of Alabama to require that fruits and vegetables grown in such area for canning, freezing, preserving and all other methods of processing shall be subject to the provisions of Sections 3, 4, and 5 of this Act".

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Clayton	Johnston (Mobile)	Reneau	
Andrews	Fant	Jones	Richardson	
Benson	Faulkner	Larkins	Robison	
Boutwell	High	Norrell	Todd	
Byars	Johnson (Chambers)	Quarles	Wright	—19

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Johnson (Chambers)	Quarles	
Andrews	Fant	Johnston (Mobile)	Richardson	
Benson	Faulkner	Jones	Robison	
Boutwell	Foster	Larkins	Sollie	
Byars	High	McCary	Thagard	
Clayton	Hollis	Norrell	Todd	—23

Nays: —0

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 608. To amend Sections 1 and 2 of Act No. 47, H. 29, approved May 24, 1951, entitled "An Act To provide educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans."

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Benson	Byars	Fant
Andrews	Boutwell	Clayton	Farmer

Faulkner	Johnston (Mobile)	Quarles	Smith
Foster	Jones	Reneau	Sollie
High	Larkins	Richardson	Todd
Hollis	McCary	Robison	Wright
Johnson (Chambers)	Norrell	Skidmore	

—26

Nays:

—0

The Bill:

H. 774. Requiring Communists and knowing members of Communist Front Organizations to register with the Department of Public Safety; providing that neither the names of nominees of the Communist Party nor the names of Communists shall appear upon the ballots in primary or general elections; providing that probable Communists and knowing members of Communist Front Organizations shall not hold non-elective public positions or jobs; outlawing sabotage; defining terms; and prescribing penalties for violations of the Act.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Farmer	Larkins	Reneau
Andrews	Faulkner	Locke (Choctaw)	Richardson
Benson	Foster	Locke (Perry)	Robison
Boutwell	High	McCary	Skidmore
Byars	Hollis	Norrell	Sollie
Clayton	Johnson (Chambers)	Phillips	Thagard
Eddins	Johnston (Mobile)	Pinson	Wright
Fant	Jones	Quarles	

—30

Nays:

—0

The Bill:

H. 806. For the relief of John Character of Clay County:

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fant	Jones	Quarles
Andrews	Farmer	Larkins	Reneau
Benson	Faulkner	Locke (Choctaw)	Richardson
Boutwell	Foster	Locke (Perry)	Robison
Byars	High	McCary	Skidmore
Clayton	Hollis	Norrell	Thagard
Eddins	Johnston (Mobile)	Phillips	Wright

—27

Nays:

—0

At 7:10 P. M. on motion of Mr. Johnston (Mobile), the Senate took a recess until 9 o'clock tonight.

Yeas 15; Nays 10.

Yeas:

Messrs.:	Byars	Farmer	Johnston (Mobile)
Andrews	Eddins	Foster	Locke (Perry)

## REGULAR SESSION

2237

Norrell Quarles	Reneau Richardson	Skidmore Sollie	Thagard Wright	—15
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*Nays:*

Messrs.: Benson Boutwell	Clayton Fant Hollis	Johnson (Chambers) Larkins Locke (Choctaw)	McCary Phillips	—10
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## NIGHT SESSION

## THIRTY-SIXTH LEGISLATIVE DAY

THURSDAY, SEPTEMBER 6, 1951

The Senate reassembled at 9 o'clock P. M., Lieutenant-Governor Allen presiding.

## ROLL CALL

Present:

Messrs.: Andrews Benson Boutwell Byars Clayton Eddins Fant	Farmer Faulkner Foster High Hollis Johnson (Chambers) Johnston (Mobile) Jones	Larkins Locke (Choctaw) Locke (Perry) Norrell Phillips Quarles Richardson	Robison Skidmore Smith Thagard Todd Wright	—29
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## BILLS ON THIRD READING

The Bill:

H. 589. To make an appropriation to the State Department of Public Welfare of four hundred, sixty-eight thousand, seven hundred, eleven dollars and twenty cents (\$468,711.20) for each of the fiscal years ending September 30, 1952, and September 30, 1953.

was taken up.

Mr. Richardson moved that further consideration of the Bill be indefinitely postponed, and on motion of Mr. Phillips the motion to indefinitely postpone was laid on the table.

Yeas 16; Nays 3.

*Yeas:*

Messrs.: Benson Boutwell Byars Farmer	Faulkner Foster High Johnson (Chambers)	Jones Larkins Locke (Choctaw) Locke (Perry)	Norrell Phillips Smith Wright	—16
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*Nays:* Messrs.: Clayton, Quarles and Richardson —3

And said Bill was then read a third time at length and passed.

Yeas 19; Nays 3.

*Yeas:*

Messrs.:	Fant	Hollis	Norrell
Benson	Farmer	Jones	Phillips
Boutwell	Faulkner	Larkins	Smith
Byars	Foster	Locke (Choctaw)	Todd
Eddins	High	Locke (Perry)	Wright

—19

*Nays:* Messrs.: Clayton, Quarles and Richardson

—3

The Bill:

H. 1119. To amend Section 253 of Title 13, Code of Alabama 1940, as amended by General Acts of the Legislature 1947, page 63, approved July 21, 1947, as amended by General Acts of the Legislature 1949, page 1030, approved September 19, 1949.

was taken up.

Mr. Boutwell offered the following substitute for the Bill, to-wit:

#### SUBSTITUTE HOUSE BILL 1119

#### A BILL TO BE ENTITLED AN ACT

To amend Section 253 of Title 13, Code of Alabama 1940, as amended by General Acts of the Legislature, 1947, Page 63, approved July 21, 1947, as amended by General Acts of the Legislature 1949, page 1030, approved September 19, 1949.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 253 of Title 13, Code of Alabama, 1940, as amended by General Acts of the Legislature 1947, page 63, approved July 21, 1947, as amended by the General Acts, 1949, page 1030, approved September 19, 1949, be and the same is hereby amended to read as follows:

Section 253. Salaries of deputy circuit solicitors and assistant deputy circuit solicitor of the tenth judicial circuit. The deputy circuit solicitor of the Tenth Judicial Circuit who is elected by the people shall be paid by the State an annual salary of Four Thousand Eight Hundred Dollars (\$4,800) payable as the salaries of other state officers are paid, and in addition to said salary said deputy circuit solicitor shall be paid by the county comprising said circuit an annual salary of Six Hundred Dollars (\$600), payable in equal monthly installments on warrants drawn by the said deputy circuit solicitor. The assistant deputy circuit solicitor of the Tenth Judicial Circuit shall be paid by the State an annual salary of Three Thousand Six Hundred Dollars (\$3,600), payable as the salaries of other State officers are paid, and in addition to said salary said assistant deputy circuit solicitor shall be paid by the county comprising said judicial circuit an annual salary of Twelve Hundred Dollars (\$1,200), payable in equal monthly installments on warrants drawn by the said assistant deputy circuit solicitor.

The first deputy circuit solicitor of the Tenth Judicial Circuit shall be paid by the State an annual salary of Four Thousand Two Hundred Dollars (\$4,200), payable as the salaries of other State officers are paid, and in addition to said salary paid by the State said deputy circuit solicitor shall be paid by the county comprising said judicial circuit, out of the general fund, an annual salary of Eighteen Hundred Dollars (\$1,800), payable in equal monthly installments on warrants drawn by the said

deputy circuit solicitor. The second deputy circuit solicitor of the Tenth Judicial Circuit and the third deputy circuit solicitor of the Tenth Judicial Circuit shall each be paid by the State an annual salary of Five Thousand Dollars (\$5000) payable as the salaries of other State officers are paid, and in addition to said salary paid by the State said deputy circuit solicitors shall each be paid by the county comprising said judicial circuit, out of the general fund, an annual salary of Seventeen Hundred Dollars (\$1700), payable in equal monthly installments on warrants drawn by the said deputy circuit solicitors. The fourth deputy circuit solicitor and the fifth deputy circuit solicitor of the Tenth Judicial Circuit shall each be paid by the State an annual salary of Eight Hundred Dollars (\$800), payable as the salaries of other State officers are paid, and in addition to said salaries paid by the State said deputy circuit solicitors shall each be paid by the county comprising said judicial circuit, out of the general fund, an annual salary of Five Thousand Nine Hundred Dollars (\$5900), payable in equal monthly installments on warrants drawn by said deputy circuit solicitors. The sixth deputy circuit solicitor of the Tenth Judicial Circuit shall be paid by the State an annual salary of Eight Hundred Dollars (\$800), payable as the salaries of other State officers are paid, and in addition to said salary paid by the State said deputy circuit solicitor shall be paid by the county comprising said judicial circuit, out of the general fund, an annual salary of Forty Nine Hundred Dollars (\$4900), payable in equal monthly installments on warrants drawn by said deputy circuit solicitor; provided, however, nothing herein contained shall affect any additional compensation now being paid or hereafter payable by the County or State for new and additional duties imposed upon the deputy circuit solicitor of the Tenth Judicial Circuit who is elected by the people. The second deputy circuit solicitor, the third deputy circuit solicitor, the fourth deputy circuit solicitor, the fifth deputy circuit solicitor and the sixth deputy circuit solicitor shall not be entitled to any other compensation by the State except as expressly herein provided.

Section 2. This Act shall go into effect immediately upon its passage and approval by the Governor.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Quarles	
Andrews	Fant	Jones	Richardson	
Benson	Farmer	Larkins	Smith	
Boutwell	Faulkner	Norrell	Todd	
Byars	Foster	Phillips	Wright	
Clayton	High			—21

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hollis	Quarles	
Andrews	Fant	Jones	Richardson	
Benson	Farmer	Larkins	Smith	
Boutwell	Faulkner	Norrell	Todd	
Byars	Foster	Phillips	Wright	
Clayton	High			—21

Nays: —0

## The Bill:

H. 50. To provide for taking up and impounding livestock or animals running at large upon State and Federal Aid Highways which have been officially designated as such regularly and customarily patrolled by the State Highway Patrol, or upon the right of ways of such highways.

Was read a third time at length and passed.

Yeas 17; Nays 4.

## Yeas:

Messrs.:	Eddins	Jones	Reneau	
Benson	Fant	Larkins	Smith	
Boutwell	Foster	Phillips	Thagard	
Byars	High	Quarles	Wright	
Clayton	Hollis			—17

## Nays:

Messrs.:	Locke (Choctaw)	Locke (Perry)	Todd	
Faulkner				—4

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

By Mr. Robison:

S. J. R. 113. Relative to naming Senate Bill 161 the Robison, Pinson, Dawkins, Tennille, Hall, Sellers and Smith Bill.

Also:

By Mr. Reneau:

S. J. R. 114. Relative to naming S. B. 35 the Reneau, Thagard, Scruggs and Merrill Bill.

Also:

By Mr. Thagard:

S. J. R. 115. Relative to naming Senate Bill 66 the Thagard, Reneau, Larkins, Faulkner, Clayton, Foster and Garrett bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,  
Clerk.

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills, begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 357. To propose an amendment to the Constitution of Alabama in relation to expenditure of moneys derived from fees or taxes relating to the use of vehicles on public highways, or to fuels used for propelling such vehicles.

Also:



S. 226. To authorize any person claiming to be the owner of lost or stolen property found in the possession of another who continues to withhold such property after demand therefor, to sue for and recover, in addition to other damages allowable by law, a reasonable attorney's fee for the services of his attorney in a detinue suit brought to recover such property.

Also:

S. 422. To propose an amendment to the Constitution relating to the levy and collection of a special property tax for the construction, alteration, and upkeep of public school buildings in Jackson County.

Also:

S. 572. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payments of such additional compensation by Tuscaloosa County.

Also:

S. 14. Requiring the owners of cattle desiring to brand such cattle to register the brands with the Department of Agriculture and Industries and prescribing a fee therefor; making the presence of such registered brands on cattle evidence of ownership of cattle so branded; to provide for the re-registering and transfer of registered brands; to require the State Department of Agriculture and Industries to furnish copies of registered brands to livestock markets, circuit court clerks, and sheriffs; imposing certain duties relative to the sale and handling of branded cattle upon livestock markets by requiring such markets to keep records of sales, give notice thereof and furnish bills of sale to buyers; to require hide dealers to keep certain records for identification of hides and cattle; to authorize the Department of Agriculture and Industries to promulgate rules and regulations to carry out the provisions of this Act; to provide that certain violations of this Act are unlawful and constitute a misdemeanor; and providing the repeal of other laws in conflict herewith and a date upon which this Act shall become effective.

Also:

S. 621. To create in all cities in the State of Alabama, having a population of not less than 110,000 and not more than 250,000 according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial Federal Census, special funds to be known as "Municipal Employees Pension and Relief Funds;" to provide for the setting apart of such funds; to create a pension and relief system applicable to all municipal employees in such cities, except Policemen and firemen; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a capitol board of pensions for all purposes in connection herewith. To

provide penalty for the violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Also:

S. 626. To create in all cities in the State of Alabama having a population of not less than one hundred and ten thousand and not more than two hundred and fifty thousand according to the preliminary count of the 1950 Federal Census or any subsequent regular decennial federal census, special funds to be known as "Policemen's and Firemen's Pension and Relief Funds" to provide for the setting apart of such funds, to create a pension and relief system applicable to the members of the police and fire departments in said cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise: to provide payments for disabled members of the police and fire departments in said cities during their disability, and for the retirement of such members on pension either by reason of term of office or disability; to provide for the pensioning of members of such police and fire departments after service therein; to provide for the appropriation for funeral expenses upon the death of such member: to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds, and for the appointment of trustees and a board of pensions for all purposes in connection herewith; to provide penalties for violations of the provisions of this act; to provide when this act shall take effect; and to provide that any section or provision of this act being held unconstitutional shall not affect the validity of any other section or provision.

Also:

S. 274. Providing for the creation and organization of a Board of Water and Sewer Commissioners by any City in the State; providing for the transfer to such Board of all or any part of any water system or sewer system or both such systems then owned and operated by any such City or by the water works board of any such City and the conditions of any such transfer; providing for the issuance of revenue bonds of such Board of Water and Sewer Commissioners, payable solely from revenues, to pay all or any part of the cost of acquiring or constructing any water system or sewer system and the cost of improvements, extensions and additions and to refund any bonds or obligations assumed by such Board, without incurring any debt of the City or pledging its faith and credit; providing for a trust agreement to secure any such revenue bonds, without mortgaging any such system or part thereof; authorizing the issuance of revenue refunding bonds of such Board; providing for fixing and collecting by the Board of rates, fees and charges for the use of and for the services furnished by any water system, sewer system or sewage disposal system operated by it, and for the application of such revenues; providing for sewer connections and the enforcement of charges; exempting all properties of the Board and such bonds from taxation; and prescribing the powers and duties of the Board in connection with the foregoing and the rights and remedies of the holders of any such bonds.

Also:

S. 474. To amend Section 712, Title 51, Code of Alabama 1940, as

amended by Act No. 68, General Acts 1945, page 64, relating to the remittance of moneys and certification of lists of motor vehicles by judge of probate.

Also:

S. 499. To amend Section 10 of Title 25 of the Code of Alabama of 1940 relating to commissioners or employees of Municipal Authorities interested in property, materials or services in connection with any housing project.

Also:

S. 541. To impose new and additional duties on the solicitor of the Sixteenth Judicial Circuit; to provide him additional compensation for the performance of such duties and provide for the method of paying such compensation.

Also:

S. 586. To make an appropriation to the State Board of Veterinary Medical Examiners for each of the fiscal years ending September 30, 1952 and September 30, 1953.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 259. To amend section 210 of Title 29 of the Code of Alabama of 1940.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 467. To provide for the inspection and grading of fresh fruits and vegetables grown in Alabama; prescribing the standard grade or grades for such fruits and vegetables; providing for the administration of the Act by the Commissioner of Agriculture and Industries and the Department of Agriculture and Industries; and prescribing penalties for violations of the Act.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. McNider:

HOUSE JOINT RESOLUTION 150. BE IT RESOLVED by the House of Representatives, the Senate concurring, that House Bill 406 be designated as the Mathews, McNider, Locke (of Choctaw) Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Locke (Choctaw), the Senate concurred in and adopted the Resolution, H. J. R. 150, set out in the foregoing Message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 72. To require the expense of publication of the Governor's proclamation concerning any proposed amendment to the Constitution of Alabama to be paid out of the general fund of the State of Alabama; and to make an appropriation for the payment of the same.

Also:

H. 186. To amend Title 51, Section 573, Code of Alabama 1940, as amended, which relates to the license tax on playing cards.

Also:

H. 232. To provide that in detinue suits for the recovery of household furniture and equipment in which the plaintiff has made affidavit and bond as required by law, service on the defendant may be perfected by the sheriff's or other officer authorized to serve process by leaving a copy of the summons and complaint at the place where the property sued for is located and seized from, and providing for the type of judgment that may be had on such type of service.

Also:

H. 259. To amend section 210 of Title 29 of the Code of Alabama of 1940.

Also:

H. 346. To allow non-profit incorporated Sportsman Associations which have a membership of not less than twenty-five members to have in possession during any season raccoons and to use them for the purpose of demonstrating the ability of raccoons to resist being taken from a log in waters to the shore by coon dogs and provide for reasonable regulations thereof. To provide the number of raccoons which may be held in captivity by such associations. To further provide when such raccoons may be captured. To provide for a permit for the demonstrations and to provide for the disposition of the funds derived from the sale of such permits.

Also:

H. 467. To provide for the inspection and grading of fresh fruits and vegetables grown in Alabama; prescribing the standard grade or grades for such fruits and vegetables; providing for the administration of the Act by the Commissioner of Agriculture and Industries and the Department of Agriculture and Industries; and prescribing penalties for violations of the Act.

Also:

H. 406. To impose extra, new, and additional duties upon the members of the County Governing Body of Clarke County, Alabama; and to provide additional compensation for the performance of such duties.

Also:

H. 470. Relating to the distribution, sale, or transportation of adulterated or misbranded insecticides, fungicides, rodenticides, herbicides and other economic poisons; regulating traffic therein; providing for registration and examination of such materials, imposing penalties, and for other purposes.

Also:

H. 564. Relating to motor vehicles; providing that station wagons, jeeps, and similar vehicles kept for private use as passenger cars shall be taxed, rated, or classified as other passenger automobiles kept for private use.

Also:

H. 608. To amend Sections 1 and 2 of Act No. 47, H. 29, approved May 24, 1951, entitled "An Act To provide educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans."

Also:

H. 774. Requiring Communists and knowing members of Communist Front Organizations to register with the Department of Public Safety; providing that neither the names of nominees of the Communist Party nor the names of Communists shall appear upon the ballots in primary or general elections; providing that probable Communists and knowing members of Communist Front Organizations shall not hold non-elective public positions or jobs; outlawing sabotage; defining terms; and prescribing penalties for violations of the Act.

Also:

H. 806. For the relief of John Character of Clay County:

Also:

H. 848. To amend Section 342, Title 15, Code of Alabama (1940), which relates to the imposition by the court of a sentence to additional hard labor in cases in which the accused is convicted and the costs are not presently paid.

Also:

H. 865. To appropriate the sum of \$4,475.00 from any funds in the State Treasury not otherwise appropriated to the State Treasurer's office for the fiscal year ending September 30, 1952, and the sum of \$3,600.00 from any funds in the State Treasury not otherwise appropriated to the State Treasurer's office for the fiscal year ending September 30, 1953.

Also:

H. 998. To make an additional appropriation to the Department of Archives and History to increase the salaries of the military and the civil archivist and the senior librarian.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote

of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bills:

H. 1027. To authorize the City of Anniston to sell, or to lease for a period not exceeding ninety-nine (99) years, a tract of land located at the southeast corner of Tenth Street and Leighton Avenue in said City and to provide how the sale or lease is to be made.

Also:

H. 1119. To amend Section 253 of Title 13, Code of Alabama 1940, as amended by General Acts of the Legislature 1947, page 63, approved July 21, 1947, as amended by General Acts of the Legislature 1949, page 1030, approved September 19, 1949.

R. T. GOODWYN, JR.,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution and House Bills, your signature thereto is requested.

H. 343. To provide that no charges for dismissal or disciplinary action shall be preferred against any employee in the classified service of the State after the expiration of three years from the date such cause became known to the authority having the power to dismiss or discipline such employee.

Also:

H. J. R. 131. Relative to creating committee to study toll road system.

Also:

H. 225. To amend Section 14 of Act No. 281, S. 1, 1945 General Acts page 445.

Also:

H. 244. To prohibit the use of bait to lure, attract or entice any bird or animal protected by law or regulation of this State. To prohibit traps, snares, poisons, chemicals and other methods of injuring, capturing or killing protected birds and animals. To except fur-bearing animals from the provisions of this Act. To provide a penalty for violating the provisions of this Act. To repeal any law in conflict herewith and to provide when the provisions of this Act shall become effective and for other purposes.

Also:

H. 352. To amend Section 218, Title 8 of the Code of Alabama 1940.

Also:

H. 185. To amend Title 51, Section 733, Code of Alabama 1940, as amended, which relates to the transporting and distributing of tobacco products where the person or the concerns provided for therein does not

have a privilege license as is prescribed in Sections 484 and 485 of this Title.

Also:

H. 316. To make appropriations for the fiscal years 1951-52 and 1952-53 to provide facilities for a nurses' educational program in the District Tuberculosis Sanatoria of the State of Alabama.

Also:

H. 817. Relating to criminal sexual psychopathic persons; providing for the commitment and treatment of such persons after their conviction of a sex offense, and prescribing the procedure therefor; and providing for the further disposition of such persons.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolutions:

By Mr. Adams of Dale:

H. J. R. 152. BE IT RESOLVED by the House, the Senate concurring, that H. B. 589 which has passed both Houses be known and designated as the Adams of Dale, Smith of Coosa, Harrison of Shelby, Butler, Phillips, Benson, Andrews, Black, and Boutwell Bill.

Also:

By Mr. Morgan of Tuscaloosa:

H. J. R. 153. Be it resolved by the House of Representatives the Senate concurring that House Bill No. 774 be known and designated as the Morgan (Tuscaloosa), Fite (Marion), Kendall, Davis, Morgan (Jefferson), Beatty, Wallace, Hawkins (Etowah), Skidmore and Boutwell Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Boutwell, the Rules were suspended and the Resolution, H. J. R. 152, set out in the foregoing Message from the House, was adopted by the Senate.

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 153, set out in the foregoing Message from the House, was adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

To Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 50. To provide for taking up and impounding livestock or animals running at large upon State and Federal Aid Highways which have been officially designated as such regularly and customarily patrolled by the State Highway Patrol, or upon the right of ways of such highways.

Also:

H. 589. To make an appropriation to the State Department of Public Welfare of four hundred, sixty-eight thousand, seven hundred, eleven dollars and twenty cents (\$468,711.20) for each of the fiscal years ending September 30, 1952 and September 30, 1953.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1027. To authorize the City of Anniston to sell, or to lease for a period not exceeding ninety-nine (99) years, a tract of land located at the southeast corner of Tenth Street and Leighton Avenue in said City and to provide how the sale or lease is to be made.

Also:

H. 1119. To amend Section 253 of Title 13, Code of Alabama, 1940, as amended by General Acts of the Legislature 1947, page 63, approved July 21, 1947, as amended by General Acts of the Legislature 1949, page 1030, approved September 9, 1949.

R. T. GOODWYN, JR.,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 150. Relative to designating H. 406.

Also:

H. J. R. 152. Relative to designating H. 589.

Also:



H. J. R. 153. Relative to designating H. 774.

R. T. GOODWYN, JR.,  
Clerk.

### SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Enrolled Bills with the Engrossed and Original Bills, respectively, and finds same correctly enrolled, to-wit:

S. 56. To fix the salary of the State Health Officer.

Also:

S. 108. To revise Articles 3 and 4 of Chapter 13 of Title 7 of the Code of Alabama (1940), as amended, which relate to exemptions from administration and the payment of debts and setting apart exemptions to the widow and minor children, by amending Sections 661, 662, 673, 674, 683, 685, 686, 687, 689, 691, 692, 693, 697 and 705 and by repealing Sections 663, 688, 690 and 702.

Also:

S. 150. Relating to the assessment of Solicitor's fees as a part of the cost of appeals from judgment rendered in Municipal Courts.

Also:

S. 161. To make appropriations for the promotion of Blue and Gray Day in Alabama.

Also:

S. 162. To amend Section 8 of Title 60 of the Code of Alabama, 1940, as amended, which relates to pensions of widows of Confederate veterans.

Also:

S. 173. To provide that the withdrawal or expenditure of any funds in the State Treasury to the credit of the Agricultural Fund provided for in Title 2, Article 3 of the Code of Alabama of 1940, for the payment of salaries, expenses, equipment, operational costs or maintenance, or for any reason whatsoever, shall be pursuant to budget and allotment as is provided in Title 55, Chapter 4, Article 3 of the Code of Alabama of 1940, and limited to the amounts provided therefor by the Legislature in the general appropriation bill, provided, that the provisions hereof shall not affect the appropriations for payments of rentals made in Act No. 533 and Act No. 749 adopted at the 1951 Regular Session of the Legislature; and to provide that any unappropriated funds remaining in the Agricultural Fund or any unexpended funds remaining in the appropriation to the Department of Agriculture by the Legislature at the end of each fiscal year shall be carried in the State Treasury in the Agricultural Fund.

Also:

S. 238. To create and establish the Alabama Agricultural and Industrial Exhibit Commission, to prescribe the duties of said commission, and to appropriate for each of the fiscal years 1951-52 and 1952-53 to said Commission out of the general funds of the State of Alabama the sum of fifteen thousand dollars (\$15,000.00), which said sum the said commission, acting with and through the Alabama State Fair Authority, a public corporation, shall use in providing, or paying, premiums, rewards or prizes for beef cattle, dairy cattle, sheep, goats, hogs and other livestock; agricultural shows or exhibits; fine arts (art exhibits, including portraits, paintings, drawings, sculpture and molding of pottery); exhibits of an educational character portraying important phases of community life; educational shows and exhibits for participation therein by students; home economics, including cooking, sewing, preserving and other activities of women; exhibits for 4-H Clubs, Future Farmers of America, and Future Homemakers of America; poultry shows or exhibits; rabbit shows or exhibits; dog shows or exhibits; and flower shows or exhibits.

Also:

S. 242. To amend Section 996 of Title 7 of the Code of Alabama, 1940, which relates to when process of garnishment may be obtained.

Also:

S. 258. To amend Section 3 of Act No. 62, approved November 1, 1950, which relates to the Department of Examiners of Public Accounts.

Also:

S. 329. To make an appropriation to the State Building Commission for making repairs at the State Training School for Girls.

Also:

S. 343. To amend Title 55, Section 291, Code of Alabama of 1940, which relates to care and upkeep of White House of the Confederacy.

Also:

S. 344. To amend Section 3 of Act No. 115, approved June 16, 1945 which relates to appropriation to Commission on Education with respect to Alcoholism.

Also:

S. 366. To amend Section 17 of an Act entitled "An Act to provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws", approved August 19, 1949.

Also:

S. 368. Relating to the perpetuation of testimony; amending Sections 495 and 496, Title 7, Code of Alabama (1940).

Also:

S. 374. To regulate the sale and advertising for sale of reclaimed or rerefined lubricating oil by requiring that such oil shall be sold in labeled containers; prescribing the manner in which such containers shall be labeled; prescribing certain requirements for advertising reclaimed oil for sale; requiring the Commissioner of Agriculture and Industries to execute the provisions of this Act: providing for suspension from sale, seizure and condemnation of reclaimed oil offered for sale in violation of this Act and prescribing a penalty for violations of this Act.

Also:

S. 425. To provide for the further protection of fish, To make it unlawful for any person to take, catch, kill or attempt to take, catch or kill fish at any time by any device or means or by the use of dynamite or

other explosives, poison or other deleterious material in any of the private ponds, private lakes, private pools or private reservoirs of this State, without permission of the owner thereof. To provide for penalties for the violation of any of the provisions of this Act. To provide for the disposition of fines, forfeitures and penalties arising from violations of this Act. To repeal Sections 69 and 75, Title 8 of the 1940 Code of Alabama. To repeal all laws in conflict herewith and to provide for the time when this Act shall become effective and for other purposes.

Also:

S. 455. Relating to criminal procedure; amending Section 7, Title 15, Code of Alabama (1940), which prescribes a rule for addressing petitions in habeas corpus proceedings.

Also:

S. 624. To require the governing bodies of cities in this State, which according to the preliminary count of the 1950 Federal census or any subsequent regular decennial census have a population of as much as 110,000 before making final any assessment for any public or improvements, to cause the city clerk to mail a bill therefor to the owner of such property, as shown on the assessment roll or assessment book prepared in accordance with the provisions of Section 530 of Title 37 of the Alabama Code of 1940, and providing further that no defect or alteration in any such bill, nor error in addressing the same, or in the address of the owner, or mistake of the city clerk in sending the bill to the wrong address, nor failure of the owner or addressee to receive the same, shall affect or invalidate any such assessment, and providing that the certificate of the city clerk appended to the assessment roll, or inserted in the assessment book, to the effect that such clerk has mailed bills in accordance with the requirements of this Act, shall in all courts and in all proceedings be taken and considered as prima facie establishing the fact of compliance herewith, and providing a penalty upon any city clerk who shall neglect to perform the duties herein required of him.

Also:

S. 533. To Provide for the Creation of a Commission on Uniform State Laws, the Appointment of Commissioners Thereto, and Making an Appropriation for the Same.

Also:

S. 634. To amend Section XVI, subsections A and B of Act No. 386, approved August 8, 1951, General Acts of 1951.

Also:

S. 676. To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinatedly, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had

been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Tennille:

H. J. R. 154. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of six (6), three members of the House to be appointed by the Speaker of the House, and three members of the Senate to be appointed by the Presiding Officer of the Senate, to wait upon the Governor and inform him that the Legislature now stands ready to adjourn sine die and awaits any further message that he might desire to transmit.

And the Speaker of the House has named on the part of the House: Messrs. Scruggs, Tennille and Roberts.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Thagard, the Rules were suspended and the Resolution, H. J. R. 154, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Eddins, Robison and Andrews.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills and resolutions with the engrossed and original bills and resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 21. To amend Title 36, Article 2, Section 75, Code of Alabama 1940, to provide that the requirements which are contained therein shall include that the motor vehicle shall have a current and valid license tag of the proper classification in addition to the other requirements now made in said code section, and further that it shall be the duty of all law enforcement officers of this state to enforce said section.

Also:

S. 35. To amend an act entitled "An Act to amend Section 46 of Title 61 of the 1940 Code of Alabama, to provide for the probate and record in the courts of the State of Alabama, of wills previously admitted to probate and record established in courts of other states, territories, districts and countries subject to the jurisdiction of the United States of America, and of foreign countries not subject to the jurisdiction of the United States of America." Approved June 23rd, 1945, General Acts, 1945, Page 193.

Also:

S. 84. To revise Article 2 of Chapter 20, Title 7 of the 1940 Code, which relates to proceedings in rem to establish title to land, by amend-

ing Sections 1116, 1117, 1118, 1121, 1122, 1123, 1126 and 1128, and repealing Sections 1129 through 1130 thereof.

Also:

S. 66. To amend further Section 2 of Act No. 669, H. 792, approved July 5, 1940, which Act is known as the "Alabama Motor Carrier Act of 1939" (Acts, 1939, pp. 1064-1090).

Also:

S. 82. Relating to the assessment of costs on proceeding brought to quiet title under the provisions of Title 7, Chapter 32, Article 2 of the Code of Alabama of 1940.

Also:

S. 83. Relating to the appointment of a Guardian Ad Litem for infants, persons of unsound mind or unknown parties, where proceeding is brought to quiet title, under the provisions of Title 7, Chapter 32, Article 2 of the Code of Alabama of 1940.

Also:

S. 197. To amend Title 46, Section 137 of the Code of Alabama 1940, as amended by Act No. 543, approved July 12, 1943, which relates to the State Board of Registration for Professional Engineers and Land Surveyors.

Also:

S. 230. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Also:

S. 231. To amend Title 55, Section 249, of the Code of Alabama 1940, as amended, which relates to the salary of the State Geologist.

Also:

S. 257. To repeal Section 2 of Act No. 605, approved October 2, 1947, entitled "An Act To make appropriations to Alabama Polytechnic Institute for constructing, equipping, furnishing, maintaining and operating a farm-machinery building and laboratory and farm-machinery experimentation and teaching facilities".

Also:

S. 260. To make an appropriation for the support of the Council of State Governments.

Also:

S. 289. To propose and to provide for the submission of an amendment to the Constitution of Alabama conferring on the municipalities of Tuscumbia, Sheffield, Hartsboro, Russellville, Lanett, Pell City, Heflin, Carrollton, Opelika, Fairhope, Pine Hill, Scottsboro, Stevenson, Brewton, Pollard, Flomaton, Atmore, Tuskegee, Aliceville, Gordo, Reform, Livingston, Camden, Monroeville, Phenix City, Florence, Huntsville, Athens, Auburn, and LaFayette, in lieu of the power conferred by Amendment No. VIII to said constitution to levy and collect an ad valorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) for the purpose of paying bonds and the interest thereon, the power to levy and collect such tax for the purpose of paying the principal of and the interest on bonds and warrants, whether outstanding at the time of the adoption of the amendment proposed by this act or issued thereafter; conferring on the municipalities of Roanoke, Florala, Opp, Evergreen, Fayette, Clayton and Clio, in lieu of the power conferred by Amendment No. XVII to said constitution to levy and collect an ad valorem tax of one-half of one per centum ( $\frac{1}{2}$  of 1%) for the purpose of paying bonds or indebtedness and

the interest thereon, the power to levy and collect such tax for the purpose of paying bonds or indebtedness and the interest thereon outstanding at the time of the adoption of the amendment proposed in this act and for the purpose of paying the principal of and the interest on bonds and warrants, whether outstanding at the time of the adoption of said proposed amendment or issued thereafter; and authorizing each of the named municipalities to pledge for the benefit of any bonds, warrants, notes or other evidences of indebtedness issued after the adoption of said proposed amendment the proceeds from the tax which such municipality is authorized to levy by said proposed amendment; and providing that, unless otherwise provided in the proceedings authorizing their issuance, any securities for the benefit of which such pledge is made shall take precedence, in the order of their issuance, as charges on said tax proceeds prior to any securities issued after the adoption of said proposed amendment with respect to which no such pledge is made.

Also:

S. 299. To amend Section 222, Title 52, Code of Alabama 1940; which relates to place and method of payment of warrants.

Also:.

S. 302. Relating to estrays; providing for the seizure, holding, and sale of animals found running at large.

Also:

S. 326. To amend Section 19 of Title 47 of the Code of Alabama of 1940, as amended July 6, 1945, so as to embrace in said Section as amended conveyances of joint tenancy in which the grantor is also a co-grantee.

Also:

S. 341. To appropriate in addition to all other appropriations and for capital outlay purposes only any and all funds received by the State of Alabama or any department, board, bureau, agency or institution of the State in payment for any loss to property suffered by reason of fire, lightning, winstorm or hail.

Also:

S. 345. To amend Section 6 (e) (1) of Act No. 48, H. B. 34, approved November 3, 1950 entitled "An Act To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor".

Also:

S. 347. To repeal Section 13 of Act No. 515, approved July 9, 1945, entitled "An Act To establish an Employees' Retirement System: to determine membership and conditions of membership in said system; to provide for a board of control of said system and for the administration of its affairs; to provide for officers and a medical board and to define their duties; to provide for the adoption of mortality, service and other actuarial tables as may be deemed necessary; to provide for the management of the funds of the said system; to provide a method of financing said system; and to provide an appropriation to carry out the provisions of the Act".

Also:

S. 363. To amend Section 29 of Title 60 of the Code of Alabama (1940), as amended, which relates to the amounts of pensions to be paid to Confederate veterans and their widows.

Also:

S. 265. To require the Clerk of the Supreme Court and the Clerk of

the Court of Appeals to furnish a certified copy of each opinion rendered by such courts to the judge trying the case in the lower court.

Also:

S. 491. Relating to city treasurers; amending Section 446, Title 37, Code of Alabama (1940).

Also:

S. 536. To make an appropriation to the Alabama Alcoholic Beverage Control Board for the operation of the Beer Tax and License Division.

Also:

S. 597. To transfer the fund appropriated by Act No. 559, S. 285, approved July 7, 1943 (General Acts, 1943, p. 551) to the State Building Commission, and to provide for the use thereof.

Also:

S. 671. To amend Act No. 49, General Acts of Alabama 1947, approved 1 July 1947.

Also:

S. J. R. 112. Relative to printing Governor's and Lt. Governor's addresses.

Also:

S. J. R. 113. Relative to Naming S. B. 161.

Also:

S. J. R. 114. Relative to naming S. B. 35.

Also:

S. J. R. 115. Relative to naming S. B. 66.

HERBERT B. BYARS,  
Chairman.

#### SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Kaul:

H. J. R. 155. Be it Resolved by the House, the Senate concurring, that the two Houses do now adjourn Sine Die.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Johnston (Mobile), the Senate concurred in and adopted the Resolution, H. J. R. 155, set out in the foregoing Message from the House.

## REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor and Secretary of State, with the date and hour of delivery, to-wit:

- S. B. 159 Delivered to the Governor, August 10, 1951, at 12:45 P. M.
- S. B. 506 Delivered to the Governor, August 10, 1951, at 12:45 P. M.
- S. B. 507 Delivered to the Governor, August 10, 1951, at 12:45 P. M.
- S. B. 160 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. B. 64 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. B. 166 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. B. 449 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. B. 477 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. B. 478 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. B. 504 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. B. 508 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. B. 509 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. B. 511 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. J. R. 56 Delivered to the Governor, August 14, 1951, at 10:35 A. M.
- S. B. 505 Delivered to the Governor, August 14, 1951, at 2:12 P. M.
- S. B. 512 Delivered to the Governor, August 14, 1951, at 2:12 P. M.
- S. B. 532 Delivered to the Governor, August 14, 1951, at 2:12 P. M.
- S. J. R. 64 Delivered to the Governor, August 14, 1951, at 2:12 P. M.
- S. J. R. 66 Delivered to the Governor, August 14, 1951, at 2:12 P. M.
- S. B. 235 Delivered to the Secretary of State, August 17, 1951, at 10:18 A. M.
- S. B. 413 Delivered to the Secretary of State, August 17, 1951, at 10:18 A. M.
- S. B. 418 Delivered to the Governor, August 17, 1951, at 10:20 A. M.
- S. B. 497 Delivered to the Governor, August 17, 1951, at 10:20 A. M.
- S. J. R. 69 Delivered to the Governor, August 17, 1951, at 10:20 A. M.
- S. J. R. 70 Delivered to the Governor, August 17, 1951, at 10:20 A. M.
- S. B. 517 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 528 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 542 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 543 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 544 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 549 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 550 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 551 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 552 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 554 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 556 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 568 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 570 Delivered to the Governor, August 21, 1951, at 10:15 A. M.
- S. B. 157 Delivered to the Governor, August 21, 1951, at 2:35 P. M.
- S. B. 457 Delivered to the Governor, August 21, 1951, at 2:35 P. M.
- S. B. 165 Delivered to the Governor, August 24, 1951, at 9:15 A. M.
- S. B. 169 Delivered to the Governor, August 24, 1951, at 9:15 A. M.



- S. B. 420 Delivered to the Governor, August 24, 1951, at 9:15 A. M.  
S. B. 468 Delivered to the Governor, August 24, 1951, at 9:15 A. M.  
S. B. 496 Delivered to the Governor, August 24, 1951, at 9:15 A. M.  
S. B. 591 Delivered to the Governor, August 24, 1951, at 9:15 A. M.  
S. B. 594 Delivered to the Governor, August 24, 1951, at 9:15 A. M.  
S. B. 440 Delivered to Secretary of State, August 24, 1951, at 10:55  
A. M.  
S. J. R. 75 Delivered to the Governor, August 24, 1951, at 11:20 A. M.  
S. J. R. 77 Delivered to the Governor, August 24, 1951, at 11:20 A. M.  
S. B. 587 Delivered to the Governor, August 24, 1951, at 1:30 P. M.  
S. B. 592 Delivered to the Governor, August 24, 1951, at 1:30 P. M.  
S. B. 593 Delivered to the Governor, August 24, 1951, at 1:30 P. M.  
S. B. 595 Delivered to the Governor, August 24, 1951, at 1:30 P. M.  
S. J. R. 80 Delivered to the Governor, August 24, 1951, at 1:30 P. M.  
S. B. 494 Delivered to the Governor, August 24, 1951, at 3:35 P. M.  
S. J. R. 82 Delivered to the Governor, August 24, 1951, at 3:35 P. M.  
S. B. 137 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 138 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 141 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 143 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 274 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 284 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 324 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 338 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 390 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 500 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 501 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. J. R. 84 Delivered to the Governor, August 28, 1951, at 10:50 A. M.  
S. B. 572 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 609 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 617 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 622 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 623 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 625 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 629 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 630 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 631 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 632 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 633 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 636 Delivered to the Governor, August 28, 1951, at 4:00 P. M.  
S. B. 619 Delivered to the Secretary of State, August 28, 1951, at 4:00  
P. M.  
S. B. 638 Delivered to the Secretary of State, August 28, 1951, at 4:00  
P. M.  
S. B. 125 Delivered to the Governor, August 30, 1951, at 10:15 A. M.  
S. B. 438 Delivered to the Governor, August 30, 1951, at 10:15 A. M.  
S. B. 612 Delivered to the Governor, August 30, 1951, at 10:15 A. M.  
S. B. 621 Delivered to the Governor, August 30, 1951, at 10:15 A. M.  
S. B. 624 Delivered to the Governor, August 30, 1951, at 10:15 A. M.  
S. B. 626 Delivered to the Governor, August 30, 1951, at 10:15 A. M.  
S. B. 628 Delivered to the Governor, August 30, 1951, at 10:15 A. M.

- S. J. R. 83 Delivered to the Governor, August 30, 1951, at 10:15 A. M.  
 S. B. 615 Delivered to the Governor, August 30, 1951, at 1:50 P. M.  
 S. B. 645 Delivered to the Governor, August 30, 1951, at 1:50 P. M.  
 S. B. 496 Delivered to the Governor, August 30, 1951, at 4:40 P. M.  
 S. B. 73 Delivered to the Governor, August 30, 1951, at 6:10 P. M.  
 S. B. 238 Delivered to the Governor, August 30, 1951, at 6:10 P. M.  
 S. B. 428 Delivered to the Governor, August 30, 1951, at 6:10 P. M.  
 S. B. 494 Delivered to the Governor, August 30, 1951, at 6:10 P. M.  
 S. J. R. 90 Delivered to the Governor, August 30, 1951, at 6:10 P. M.  
 S. B. 349 Delivered to the Governor, August 31, 1951, at 9:20 A. M.  
 S. B. 580 Delivered to the Governor, August 31, 1951, at 9:20 A. M.  
 S. B. 668 Delivered to the Governor, August 31, 1951, at 2:15 P. M.  
 S. B. 14 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 60 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 78 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 91 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 93 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 158 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 204 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 315 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 319 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 334 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 394 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 415 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 514 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 534 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 555 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 651 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 652 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 654 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 657 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 659 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 660 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 661 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 666 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 670 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. J. R. 91 Delivered to the Governor, August 31, 1951, at 2:55 P. M.  
 S. B. 643 Delivered to the Secretary of State, August 31, 1951, at 3:00 P. M.  
 S. B. 23 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 24 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 33 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 112 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 130 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 154 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 170 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 173 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 174 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 175 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 176 Delivered to the Governor, September 6, 1951, at 11:00 A. M.  
 S. B. 177 Delivered to the Governor, September 6, 1951, at 11:00 A. M.

[illegible]

- S. B. 518 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 530 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 531 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 558 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 560 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 571 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 576 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 583 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 596 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 600 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 601 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 603 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 611 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 616 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 635 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 650 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 662 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 663 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- S. B. 672 Delivered to the Governor, September 6, 1951, at 11:00 A. M.
- A. M. S. J. R. 88 Delivered to the Governor, September 6, 1951, at 11:00
- A. M. S. J. R. 93 Delivered to the Governor, September 6, 1951, at 11:00
- A. M. S. J. R. 94 Delivered to the Governor, September 6, 1951, at 11:00
- A. M. S. J. R. 95 Delivered to the Governor, September 6, 1951, at 11:00
- A. M. S. J. R. 96 Delivered to the Governor, September 6, 1951, at 11:00
- A. M. S. J. R. 97 Delivered to the Governor, September 6, 1951, at 11:00
- A. M. S. J. R. 99 Delivered to the Governor, September 6, 1951, at 11:00
- A. M. S. J. R. 100 Delivered to the Governor, September 6, 1951, at 11:00
- A. M. S. J. R. 101 Delivered to the Governor, September 6, 1951, at 11:00
- A. M. S. B. 476 Delivered to the Secretary of State, September 6, 1951, at 11:13 A. M.
- S. B. 623 Delivered to the Governor, September 6, 1951, at 2:40 P. M.
- S. B. 625 Delivered to the Governor, September 6, 1951, at 2:40 P. M.
- P. M. S. J. R. 102 Delivered to the Governor, September 6, 1951, at 2:40
- P. M. S. J. R. 103 Delivered to the Governor, September 6, 1951, at 2:40
- P. M. S. J. R. 104 Delivered to the Governor, September 6, 1951, at 2:40
- P. M. S. J. R. 105 Delivered to the Governor, September 6, 1951, at 2:40
- P. M. S. J. R. 106 Delivered to the Governor, September 6, 1951, at 2:40
- P. M. S. J. R. 107 Delivered to the Governor, September 6, 1951, at 2:40
- P. M.

- S. B. 673 Delivered to the Governor, September 6, 1951, at 6:00 P. M.  
S. B. 674 Delivered to the Governor, September 6, 1951, at 6:00 P. M.  
S. B. 675 Delivered to the Governor, September 6, 1951, at 6:00 P. M.  
S. B. 677 Delivered to the Governor, September 6, 1951, at 6:00 P. M.  
S. B. 680 Delivered to the Governor, September 6, 1951, at 6:00 P. M.  
S. J. R. 108 Delivered to the Governor, September 6, 1951, at 6:00 P. M.  
S. J. R. 109 Delivered to the Governor, September 6, 1951, at 6:00 P. M.  
S. J. R. 110 Delivered to the Governor, September 6, 1951, at 6:00 P. M.  
S. J. R. 111 Delivered to the Governor, September 6, 1951, at 6:00 P. M.  
S. B. 226 Delivered to the Governor, September 6, 1951, at 9:55 P. M.  
S. B. 572 Delivered to the Governor, September 6, 1951, at 9:55 P. M.  
S. B. 14 Delivered to the Governor, September 6, 1951, at 9:55 P. M.  
S. B. 621 Delivered to the Governor, September 6, 1951, at 9:55 P. M.  
S. B. 626 Delivered to the Governor, September 6, 1951, at 9:55 P. M.  
S. B. 274 Delivered to the Governor, September 6, 1951, at 9:55 P. M.  
S. B. 474 Delivered to the Governor, September 6, 1951, at 9:55 P. M.  
S. B. 499 Delivered to the Governor, September 6, 1951, at 9:55 P. M.  
S. B. 541 Delivered to the Governor, September 6, 1951, at 9:55 P. M.  
S. B. 586 Delivered to the Governor, September 6, 1951, at 9:55 P. M.  
S. B. 357 Delivered to the Secretary of State, September 6, 1951, at 10:55 P. M.  
S. B. 422 Delivered to the Secretary of State, September 6, 1951, at 10:55 P. M.  
S. B. 56 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 108 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 150 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 161 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 162 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 173 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 238 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 242 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 258 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 329 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 343 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 344 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 366 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 368 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 374 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 425 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 455 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 624 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 533 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 634 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 676 Delivered to the Governor, September 6, 1951, at 11:25 P. M.  
S. B. 289 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.  
S. B. 21 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 35 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 84 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 66 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 82 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 83. Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 197 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 230 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 231 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 257 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 260 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 299 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 302 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 326 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 341 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 345 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 347 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 363 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 265 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 491 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 536 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 597 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. B. 671 Delivered to the Governor, September 6, 1951, at 12:00 Mid-night.

S. J. R. 112 Delivered to the Governor, September 6, 1951, at 12:00 Midnight.

S. J. R. 113 Delivered to the Governor, September 6, 1951, at 12:00 Midnight.

S. J. R. 114 Delivered to the Governor, September 6, 1951, at 12:00 Midnight.

S. J. R. 115 Delivered to the Governor, September 6, 1951, at 12:00 Midnight.

J. E. SPEIGHT,  
Secretary.

## SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE  
ON  
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

C. MAC GOLSON,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Golson, the foregoing report was concurred in and the Journal of the Senate for the Thirty-sixth Legislative Day approved by the Senate.

## ADJOURNMENT

At 11:59 P. M. on motion of Mr. Johnston (Mobile), the Senate adjourned sine die.

JAMES B. ALLEN,  
President and Presiding Officer of the Senate.

Attest:

J. E. SPEIGHT,  
Secretary of Senate

# ROSTER OF THE SENATE OF ALABAMA

## Regular Session 1951

James B. Allen, <i>Lieutenant Governor</i> .....	Gadsden
Albert Boutwell, <i>President Pro-Tem</i> .....	Birmingham
J. E. Speight, <i>Secretary</i> .....	Montgomery
Ralph E. Macon, <i>Assistant Secretary</i> .....	Aliceville
First Senatorial District—Lauderdale and Limestone Counties.	
W. Amos Jones.....	Florence
Second Senatorial District—Lawrence and Morgan Counties.	
J. B. Richardson.....	Moulton
Third Senatorial District—Blount, Cullman and Winston Counties.	
B. R. (Ben) Fant.....	Route 3, Cullman
Fourth Senatorial District—Madison County.	
Joe S. Foster, Jr.....	care Double Cola Bot. Co., Huntsville
Fifth Senatorial District—Jackson and Marshall Counties.	
John B. Benson.....	Scottsboro
Sixth Senatorial District—Etowah and St. Clair Counties.	
Sam High.....	Ashville
Seventh Senatorial District—Calhoun County.	
Elvin C. McCary.....	P. O. Box 27, Anniston
Eighth Senatorial District—Talladega County.	
Graham Wright.....	Talladega
Ninth Senatorial District—Chambers and Randolph Counties.	
John Will (Bubber) Johnson, Jr.....	P. O. Box 453, Lanett
Tenth Senatorial District—Elmore and Tallapoosa Counties.	
C. T. Reneau.....	Wetumpka
Eleventh Senatorial District—Tuscaloosa County.	
E. W. Skidmore.....	311 Alston Bldg., Tuscaloosa
Twelfth Senatorial District—Fayette, Lamar and Walker Counties.	
Ross Hollis.....	Sulligent
Thirteenth Senatorial District—Jefferson County.	
Albert Boutwell.....	1919-20 First N. Bk. Bl., Birmingham
Fourteenth Senatorial District—Pickens and Sumter Counties.	
John H. Pinson.....	Geiger
Fifteenth Senatorial District—Autauga, Chilton and Shelby Counties.	
J. T. (Tom) Phillips.....	Siluria
Sixteenth Senatorial District—Lowndes County.	
C. Mac Golson.....	Fort Deposit
Seventeenth Senatorial District—Butler, Conecuh and Covington Counties.	
T. Werth Thagard.....	Greenville
Eighteenth Senatorial District—Bibb and Perry Counties.	
Judson C. Locke, Sr.....	Marion
Nineteenth Senatorial District—Choctaw, Clarke and Washington Counties.	
Robert Locke.....	Butler
Twentieth Senatorial District—Marengo County.	
E. O. Eddins.....	Box 317, Demopolis
Twenty-first Senatorial District—Baldwin, Escambia and Monroe Counties.	
J. H. (Jimmy) Faulkner.....	Bay Minette
Twenty-second Senatorial District—Wilcox County.	
J. M. Bonner.....	Camden



**ROSTER OF THE SENATE OF ALABAMA—Continued**

Twenty-third Senatorial District—Dale and Geneva Counties.	
Mike Sollie III.....	Ozark
Twenty-fourth Senatorial District—Barbour County.	
Preston C. Clayton.....	Clayton
Twenty-fifth Senatorial District—Coffee, Crenshaw and Pike Counties.	
H. B. Larkins.....	Elba
Twenty-sixth Senatorial District—Bullock and Macon Counties.	
Lawrence K. Andrews.....	Union Springs
Twenty-seventh Senatorial District—Lee and Russell Counties.	
John L. Whatley.....	Opelika
Twenty-eighth Senatorial District—Montgomery County.	
Vaughan Hill Robison.....	303 So. Hull St., Montgomery
Twenty-ninth Senatorial District—Cherokee and DeKalb Counties.	
Virgil M. Smith.....	Leesburg
Thirtieth Senatorial District—Dallas County.	
George P. Quarles.....	Selma
Thirty-first Senatorial District—Colbert, Franklin and Marion Counties.	
A. W. Todd.....	Russellville
Thirty-second Senatorial District—Greene and Hale Counties.	
Herbert B. Byars.....	Greensboro
Thirty-third Senatorial District—Mobile County.	
Thomas A. Johnston III.....	First N. Bk. Bl. Annex, Mobile
Thirty-fourth Senatorial District—Clay, Cleburne and Coosa Counties.	
M. J. Norrell.....	Ashland
Thirty-fifth Senatorial District—Henry and Houston Counties.	
Carl S. Farmer.....	Abbeville

## ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

**Regular Session 1951****OFFICERS**

Roberts H. Brown, <i>Speaker</i> .....	Opelika
Pelham J. Merrill, <i>Speaker Pro-Tem</i> .....	Heflin
R. T. Goodwyn, Jr., <i>Clerk</i> .....	Montgomery
John F. Campbell, <i>Assistant Clerk</i> .....	Heflin
Oakley Melton, Jr., <i>Reading Clerk</i> .....	Wetumpka

**MEMBERS OF THE HOUSE**

Autauga—E. A. (Bud) Grouby.....	Prattville
Baldwin—L. W. Brannan, Jr.....	Foley
Barbour—Place No. 1—Sim A. Thomas.....	Eufaula
Place No. 2—George C. Wallace.....	Clayton
Bibb—R. C. Bamburg.....	Brent
Blount—N. C. Denton.....	Oneonta
Bullock—Place No. 1—J. W. Springer, Sr.....	Union Springs
Place No. 2—J. A. Crook.....	Union Springs
Butler—Place No. 1—John N. Wesley.....	Greenville
Place No. 2—Oliver Taylor.....	Georgiana

# **ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA— Continued**

Calhoun—Place No. 1—Lewis H. Tumlin	General Delivery, Weaver
Place No. 2—Charles Thomason	Box 441, Anniston
Chambers—Place No. 1—Roy W. McClendon	Shawmut
Place No. 2—Charles G. Reynolds	Box 418, Faifax
Cherokee—J. B. Burkhalter	Centre
Chilton—Jim Plott	Verbena
Choctaw—J. Massey Edgar	Butler
Clarke—Place No. 1—D. C. Mathews	Grove Hill
Place No. 2—Emory McNider	Coffeeville
Clay—R. T. Butler	Lineville
Cleburne—Pelham J. Merrill	Heflin
Coffee—Jackson W. (Bill) Stokes	Rt. 2, Elba
Colbert—Paul Coburn	Rt. 3, Tuscumbia
Conecuh—Robert G. Kendall, Jr.	Evergreen
Coosa—Robert C. Smith	Goodwater
Covington—S. Reece White	Red Level
Crenshaw—V. S. Summerlin	Luverne
Cullman—Henry W. White	409, 5th Ave. NE, Cullman
Dale—Jesse B. Adams	Ozark
Dallas—Place No. 1—Wm. P. Molette	Orrville
Place No. 2—Frank Hardy	Selma
Place No. 3—Walter C. Givhan	Safford
DeKalb—W. G. (Domie) Hawkins	Fort Payne
Elmore—Place No. 1—Vester Bush	Wetumpka
Place No. 2—Willard (Bill) Pienezza	P. O. Box 633, Tallassee
Escambia—Leslie B. McCoy	Atmore
Etowah—Place No. 1—George C. Hawkins	1019 Walnut St., Gadsden
Place No. 2—Edward B. (Ed) Miller	Box 445, Gadsden
Fayette—*Truman A. (Red) Simpson	Berry
Franklin—W. E. (Emmett) Oden	Russellville
Geneva—Roland R. Faulk	Samson
Greene—W. L. Martin, Jr.	Eutaw
Hale—Place No. 1—Armistead I. Selden, Jr.	P. O. Box 304, Greensboro
Place No. 2—W. F. Wilson	Havana
Henry—Place No. 1—Emory R. (Em) Solomon	Headland
Place No. 2—G. B. Mathison, Sr.	Abbeville
Houston—Wallace D. Malone	Dothan
Jackson—Place No. 1—Rodney Gentle	Limrock
Place No. 2—Horace T. Armstrong	Scottsboro
<b>Jefferson—</b>	
James G. Adams, Jr.	3802 Montevallo Rd., Birmingham
Wm. Henry Beatty	1038 Brown Marx Bldg., Birmingham
Lawrence (Larry) Dumas, Jr.	331 Frank Nelson Bldg., Birmingham
Hugh Kaul	1604 First National Bldg., Birmingham
J. Paul Meeks	215 Frank Nelson Bldg., Birmingham
Thomas E. Huey, Sr.	8904 5th Ave. No., Birmingham
J. B. Morgan	2026 3rd Ave. No., Birmingham
Lamar—Jack Hankins	Vernon
Lauderdale—Place No. 1—William F. Baker	1115 Ridgeway Drive, Florence
Place No. 2—Henry Romine	Box 218, Florence

# ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA— Continued

Lawrence—Leo Roberson.....	Box 313, Moulton
Lee—Place No. 1—Roberts H. Brown.....	Opelika
Place No. 2—D. W. Ward.....	Opelika
Limestone—W. W. Malone, Jr.....	P. O. Box 825, Athens
*Deceased August 12, 1951.	
Lowndes—Place No. 1—Neil Robinson.....	Lowndesboro
Place No. 2—Pugh Haynes.....	Letohatchie
Macon—Sam M. Engelhardt, Jr.....	Shorter
Madison—Place No. 1—N. L. (Luke) Reynolds.....	Toney
Place No. 2—R. L. (Bob) Eslick.....	Huntsville
Marengo—Place No. 1—Z. P. Crocker.....	Thomaston
Place No. 2—Richard S. (Dick) McKee.....	Faunsdale
Marion—Rankin Fite.....	Hamilton
Marshall—Claud D. Scruggs.....	Guntersville
Mobile—Place No. 1—Sydney S. Pflieger.....	1st Fed. Savings Bldg., Mobile
Place No. 2—Jack C. Gallalee.....	Box 388, Mobile
Place No. 3—Robert B. Wilkins.....	360 S. Broad St., Mobile
Monroe—W. W. Garrett.....	Uriah
Montgomery—Place No. 1—Joe M. Dawkins.....	1017 Narrow Lane Rd., Montgomery
Place No. 2—Clyde C. Sellers.....	1453 So. Perry St., Montgomery
Place No. 3—H. James Hall.....	Rt. 4, Narrow Lane Rd., Montgomery
Place No. 4—Frank Tennille.....	Frank Tennille Furniture Co., Montgomery
Morgan—Place No. 1—Noble J. Russell.....	1006 Oak St., Decatur
Place No. 2—Luther E. Roberts.....	Hartselle
Perry—Place No. 1—John H. Lee.....	Hamburg
Place No. 2—W. L. DeSear.....	Uniontown
Pickens—Robert Langdon.....	Rt. 2, Reform
Pike—Place No. 1—L. Gardner Bassett.....	Troy
Place No. 2—Clark H. Belcher.....	Brundidge
Randolph—John C. Weathers.....	Star Rt., Roanoke
Russell—Place No. 1—B. L. Cole.....	Phenix City
Place No. 2—J. W. Brassell.....	Phenix City
St. Clair—Ira Davis.....	P. O. Box 86, Ashville
Shelby—Karl C. Harrison.....	Columbiana
Sumter—Place No. 1—Jesse E. Harvey.....	Cuba
Place No. 2—Ira D. Pruitt.....	Livingston
Talladega—Place No. 1—L. N. Payne.....	Box 4, Talladega
Place No. 2—G. Kyser Leonard.....	Talladega
Tallapoosa—Place No. 1—Charles Adams.....	Alexander City
Place No. 2—J. T. (Tom) Johnson.....	Rt. 1, Notasulga
Tuscaloosa—Place No. 1—Edward F. (Ed) Morgan.....	405 Alston Bldg., Tuscaloosa
Place No. 2—J. P. Shelton.....	209 Court House, Tuscaloosa
Walker—Place No. 1—Chester M. Black.....	Jasper
Place No. 2—Arthur Fite, Jr.....	P. O. Box 419, Jasper
Washington—J. Emmett Wood.....	Millry
Wilcox—Place No. 1—E. T. Harrison.....	Pine Hill
Place No. 2—Gregory L. Oakley.....	Pine Apple
Winston—Ben G. Dodd.....	Rt. 3, Double Springs

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- Amending Act 200, Local Acts 1931, Sec. 2, relating to the fine and forfeiture fund in Baldwin County. H. B. 1015, pages 1615, 1617, 1747, 1880, 1915.
- Amending Act 32, Secs. 1, 3, 4, 5, 6, 7, 10, 13, 14, 17, 19, 22, 23, 27, 31, 32, 34 and 36, dealing with Colbert County Law and Equity Court. H. B. 1021, pages 1683, 1691, 1745, 1872, 1916.
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- Amending Act 29, Local Acts 1947, Sec. 2, providing an additional deputy sheriff in Chambers County. H. B. 1045, pages 1706, 1715, 1746, 1877, 1917.

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- Amending Act 162, Local Acts 1943, relating to officer's salaries, Cherokee County. H. B. 1076, pages 1839, 1850.
- Amending Act 403, Local Acts 1949, relating to Juvenile Court Act in DeKalb County. H. B. 1078, pages 1845, 1850, 1937, 2049, 2081.
- Amending Act 129, 1907, Sec. 1, relating to Revenue Districts of Montgomery County. H. B. 1080, pages 1847, 1850, 1937, 2040, 2079, 2168.
- Amending Act 781, Local Acts 1915, Sec. 19, relating to Fireman's Pension and Relief Fund in Montgomery County. H. B. 1084, pages 1848, 1850, 1937, 2040, 2080, 2167.
- Amending Act 99, Local Acts 1932, relating to County Commissioners of Pike County. H. B. 1095, pages 1837, 1850, 1938.

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- Act 32, approved May 21, 1943, Secs. 2 and 5, relating to Alabama State Markets Board. S. B. 51, pages 33, 54, 171, 216.
- Act 558, S. 274, approved July 9, 1943, Secs. 7(a) and (b), relating to motor vehicle accidents and providing penalty for leaving scene of accident. S. B. 61, pages 34, 48, 74, 602, 612, 794.
- Act 412, S. 261, approved July 7, 1945, Secs. 13 and 15, providing for adoption of state-owned textbooks and repealing Title 52, Secs. 19 and 409-431 of Code and Title 52, Secs. 432-433, as amended by Act 313, approved June 28, 1943. S. B. 62, page 34.
- Act 588, 1943, relating to reciprocal agreements. S. B. 94, pages 38, 54, 199, 860, 865, 1388.
- Act 412, 1945, Sec. 14, relating to State Textbook Committee. S. B. 112, pages 43, 118, 278, 2114, 2134, 2258.
- Act 605, 1947, Sec. 2, dealing with Alabama Polytechnic Institute appropriation for farm-machinery courses. S. B. 257, pages 161, 1284, 1452, 2230, 2240, 2253, 2262.
- Act 65, 1950, Secs. 9 and 10, relating to Jackson County roads and bridges. S. B. 336, pages 432, 478, 511, 661, 677, 794.
- Act appropriating \$5,000 to Attorney General as Securities Commissioner. S. B. 342, pages 437, 502, 905, 2124, 2138, 2259.
- Act 370, Sec. 7, relating to Department of Agriculture and Industries and contagious, infectious and communicable diseases of livestock. S. B. 346, pages 437, 503, 1050.
- Act 515, 1945, Sec. 13, relating to Employees' Retirement System. S. B. 347, pages 437, 503, 906, 2232, 2254, 2262.
- Act 282, General Acts 1945, Sec. 1, abolishing Agricultural Center Board. S. B. 462, page 867.
- Acts 146 and 147, General Acts 1945; Acts 557 and 558, General Acts 1949, relating to State Office Building Corporation. S. B. 497, pages 1033, 1098, 1353, 1539, 1570, 2256.
- Act 576, 1949, relating to Winston County Engineer. S. B. 641, pages 1578, 1748, 1882.
- Act 32, 1943, Secs. 1, 21 and 5, abolishing Alabama State Markets Board. H. B. 34, pages 203, 313, 357, 363.
- Act 136, 1945, allowing an additional deputy sheriff for Marshall County. H. B. 146, pages 133, 148, 310, 332, 341.
- Act 244, 1947, allowing an additional deputy sheriff for Madison County. H. B. 147, pages 134, 148, 310, 333, 342.
- Act 64, H. 205, approved June 10, 1949, relating to clerks in office of Tax Collector of Clarke County. H. B. 198, pages 174, 183.
- Act 65, H. 207, approved June 10, 1949, relating to clerks in office of Tax Assessor of Clarke County. H. B. 200, pages 175, 183.
- Act 195, H. 572, relating to creating an Inferior Court in Clarke County. H. B. 201, pages 176, 183.

## ACTS REPEALED—Continued

- Act 437, H. 662, approved July 6, 1945, limiting jurisdiction and powers of Justices of the Peace in criminal cases in counties of 75,000-100,000. H. B. 334, pages 374, 375, 755, 842, 855.
- Act 199, S. 263, approved June 23, 1945, General Acts 1945, relating to duties and compensation of coroners in counties of 75,000-113,000. H. B. 335, pages 375, 755, 842, 856.
- Act 438, 1945, relating to compensation of Judge of Inferior Court in counties 75,000-113,000. H. B. 336, pages 375, 755, 841, 856.
- Act 145, 1947, fixing salary of Chief Clerk to Probate Judge in counties 75,000-113,000. H. B. 339, pages 392, 394, 755, 841, 856.
- Act 493, 1949, fixing duties and compensation of County Solicitor in counties of 18,650-19,150. H. B. 409, pages 395, 396, 504, 610, 636.
- Act 494, 1949, fixing duties and compensation of Tax Assessor and Collector in counties of 18,650-19,150. H. B. 412, pages 395, 396, 504, 609, 636.
- Act 276, 1947, known as Motor Vehicle Responsibility Act, creation of Motor Vehicle Safety-Responsibility Act, eliminating reckless and irresponsible drivers from Alabama highways. H. B. 475, pages 1456, 1458, 1594, 1674, 2051, 2083, 2087.
- Act 179, 1949, relating to Shelby County Board of Revenue and Control, creating Board of Revenue of Shelby County. H. B. 517, pages 645, 659.
- Act 335, Local Acts 1935, relating to County Treasurer of St. Clair County. H. B. 612, pages 770, 778, 871, 920, 928.
- Act 250, Local Acts 1935, relating to St. Clair County gasoline taxes and road and bridge fund. H. B. 613, pages 771, 778, 870, 919, 928.
- Act 185, Local Acts 1947, Sec. 4, relating to sheriff of Calhoun County. H. B. 641, pages 849, 854, 1589, 1921, 1931, 1935.
- Act 310, 1949, relating to liquidation and distribution of each retirement fund. H. B. 645, pages 855, 868, 1162, 1210.
- Act 187, Local Acts 1947, relating to Circuit Clerk of Calhoun County. H. B. 660, pages 1216, 1226, 1743, 1868, 1913.
- Act 27, Fifth Special Session 1950, proposing a Constitutional Amendment relating to Colbert County. H. B. 668, pages 1116, 1119, 1538, 1643, 1669.
- Act 30 and Act 357, Local Acts 1939, creating and establishing a Board of Commissioners and Control of Cullman County. H. B. 670, pages 889, 904, 1291, 1434, 1488.
- Act 424, Local Acts 1947, levying additional excise tax for hospitals in Tuscaloosa County. H. B. 815, pages 1195, 1197, 1208, 1313, 1328.
- Act 420, 1939, and Act 186, 1947, abolishing Calhoun County Commission, establishing Board of Revenue. H. B. 931, pages 1360, 1367, 1403, 1856, 1898, 1941, 1978.
- Act 324, Local Acts 1935, providing an additional deputy sheriff for Chilton County. H. B. 1026, pages 1704, 1715, 1745, 1906, 1920.
- Act 57, Local Acts 1943, providing Secretarial Assistant to Circuit Clerk in Covington County. H. B. 1059, pages 1766, 1775, 1895, 1967, 1981.
- Act 479, Local Acts 1900, abolishing Court of County Revenue in Franklin County. H. B. 1063, pages 1771, 1775, 1895, 2038, 2079.
- Act 78, Local Acts 1943, Sec. 4, relating to Deputy Sheriff's Bond. H. B. 1088, pages 1848, 1850, 1938, 2041, 2080.
- Act 78, Local Acts 1943, Sec. 3, relating to manner of paying additional deputy sheriff in Russell County. H. B. 1090, pages 1884, 1889, 1938, 2042, 2080.
- Act 75, Local Acts 1943, Sec. 3, relating to Circuit Deputy Clerk's Bond in Russell County. H. B. 1092, pages 1886, 1889, 1938, 2044, 2080.

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Act 274, 1949, altering boundaries of Jemison in Chilton County. H. B. 1117, pages 1950, 1957, 2032, 2191.

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Requiring owners of cattle to register brands. S. B. 14, pages 16, 53, 100, 2033, 2092, 2171, 2200, 2241, 2258, 2261.

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**ALABAMA AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION**

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**ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD—Continued**  
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**ALABAMA COLLEGE**

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Appointment by Governor of Mrs. W. M. Rogers, Robert Gordon, Jim F. Smith and James T. Slade to Board of Trustees of—. Page 230.

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**ALABAMA PENSION BOARD**

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**ALABAMA POLYTECHNIC INSTITUTE**

Appropriation by Milk Control Board to Artificial Insemination Unit. S. B. 611, pages 1394, 1482, 1821, 2088, 2143, 2260.

**ALABAMA PUBLIC SERVICE COMMISSION**

Relating to rural telephone service, amending Act 339, 1949, Secs. 3, 4, and 7. S. B. 125, pages 45, 505, 564, 636, 779, 1924, 1932, 2257.

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**ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY**

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**ALABAMA STATE COLLEGE FOR NEGROES**

Appropriation to Board of Education for purchase of land for same. S. B. 273, pages 219, 308, 340, 398, 418, 428.

**ALABAMA STATE DEPARTMENT OF AERONAUTICS**

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**ALABAMA STATE MARKETS BOARD**

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**ALABAMA STATE DOCKS BOARD**

Appointment by Governor of Leslie Dee, Alto V. Lee, III, Ernest H. Woods, James G. Pruett, Jr., and Leonard Hardy as members of—. Page 1306.

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**ALABAMA STATE HOSPITALS**

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**ALABAMA VOCATIONAL SCHOOL FOR GIRLS**

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**ALCOHOLISM**

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To merge Building Commission of 1940, Alabama Building Corporation with Building Commission of 1945 and making appropriation for same. S. B. 41, pages 22, 51, 232, 982, 1045, 1244, 1251, 1278, 1389.

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To Alabama Polytechnic Institute for farm-machinery courses; repealing Act 605, 1947, Sec. 2. S. B. 257, pages 161, 1284, 1452, 2230, 2240, 2253, 2262.

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To purchase through T. V. A. from Federal Government Joe Wheeler State Park Reservation. S. B. 322, pages 382, 628, 692, 837, 841, 1388.

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- All funds received by State for any loss suffered by reason of fire, lightning, windstorm and hail. S. B. 341, pages 437, 502, 905, 2230, 2254, 2262.
- To Committee on Education of Alcoholism, amending Act 115, 1945, Sec. 3. S. B. 344, pages 437, 875, 1778, 2231, 2250, 2261.
- For dormitory at Agricultural and Mechanical Institute for Negroes. S. B. 393, pages 562, 629, 690, 743, 844, 858, 1388.
- To State Board of Education for Alabama Special Educational Trust Fund. S. B. 424, pages 750, 1582, 1664.
- \$150,000 to defray the expenses of the present session of the Legislature. S. B. 427, pages 750, 837, 883, 1129, 1132, 1389.
- To Alabama Academy of Science. S. B. 441, pages 835, 1396.
- For sick or infirm persons in cities 78,000-125,000—charity cases. S. B. 505, pages 1038, 1107, 1315, 1420, 1535, 2256.
- Charity aid to sick in counties of 96,000-141,000. S. B. 509, pages 1039, 1109, 1317, 1422, 1485, 2256.
- \$120,000 annually to Armory Commission of Alabama to provide armory facilities for National Guard. S. B. 530, pages 1094, 1398, 1631, 2102, 2142, 2260.
- Method of expending, Subsection (19), of Sec. V in S. B. 228. S. B. 531, pages 1094, 1286, 1466, 1486, 2118, 2142, 2260.
- Creation of Commission on Uniform State Laws. S. B. 533, pages 1095, 1286, 1543, 2231, 2251, 2261.
- To State Superintendent of Education for Tuskegee Institute. S. B. 534, pages 1096, 1285, 1815, 2056, 2094, 2258.
- To Alabama Alcoholic Beverage Control Board for operation of stores. S. B. 535, page 1096.
- To Alabama Alcoholic Beverage Control Board for operation of beer tax division. S. B. 536, pages 1096, 1285, 1464, 2230, 2255, 2262.
- \$75,000 for equipping State Markets Board Building. S. B. 555, pages 1207, 1397, 1623, 2055, 2094, 2258.
- Department of Conservation for Division of State Lands. S. B. 560, pages 1246, 1285, 1453, 2118, 2143, 2260.
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- To Department of Public Safety. S. B. 612, pages 1394, 1482, 1621, 1900, 1932, 2257.
- To Game, Fish and Seafood Division and State Forestry Division in Department of Conservation, amending Act 386, Sec. XVI, Subsec. A & B, 1951. S. B. 634, pages 1481, 1583, 1813, 2231, 2251, 2261.
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- To Trade School at Jacksonville, Calhoun County. S. B. 649, pages 1579, 1741, 1834.
- To State Board of Education for Restoration of Crippled Children. S. B. 651, pages 1580, 1674, 1816, 2054, 2094, 2258.
- To Alabama Commission on Intergovernmental Relations. S. B. 678, pages 1736, 1829.
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- Additional appropriation for regional education for fiscal year ending September 30, 1951. H. B. 197, pages 205, 206, 308, 339, 345, 353.

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- For old-age and survivors insurance for certain officers and employees of state and local governments, amending Act 48, 1950. H. B. 205, pages 206, 353, 489, 507.
- To Alabama Employees' Retirement System. H. B. 231, pages 1267, 1286, 2024, 2050.
- For ordinary expenses of Executive, Legislative, and Judicial Departments of state; interest on public debt, public schools. H. B. 262, pages 1259, 1284, 1379, 1388.
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- To State Board of Adjustment, amending Title 55, Sec. 343. H. B. 273, pages 1568, 1585, 2106, 2153.
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- To Board of Nurses' Examiners and Registration for nurses educational program in District Tuberculosis Sanatoria. H. B. 316, pages 1567, 1583, 2212, 2247.
- To Agriculture Center Board. H. B. 408, pages 1944, 2029.
- To Alabama Building Commission for Alabama State Hospitals. H. B. 488, pages 725, 726.
- To State Department of Public Welfare. H. B. 589, pages 1787, 1830, 2237, 2248.
- To the State Superintendent of Education for Tuskegee Institute to teach certain subjects. H. B. 635, pages 1266, 1285, 1681, 1724.
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- To Bryce Hospital for nurses' educational program in 1951-52 and 1952-53. H. B. 814, pages 1377, 1378, 1583, 2006, 2027.
- To State Department of Health for tuberculosis treatment. H. B. 864, pages 1199, 1396, 2119, 2151.
- To State Treasurer's Office. H. B. 865, pages 1775, 1829, 2225, 2245.
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- To Alabama Alcoholic Beverage Control Board for operation of beer tax and license division. H. B. 903, pages 1775, 1828, 2205.
- To Department of Archives and History for salaries of Military and Civil Archivist and the Senior Librarian. H. B. 998, pages 1667, 1741, 2233, 2245.
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- Title 15, Sec. 342, providing additional hard labor on conviction and cost not paid. H. B. 848, pages 1605, 1606, 1738, 2226, 2245.
- Title 15, Sec. 372, providing that in case of felony, judgments rendered and execution suspended pending appeal; bail on appeal. S. B. 354, pages 442, 500, 905, 2102, 2138, 2259.
- Title 16, Sec. 1, dissent of real estate of persons dying intestate. S. B. 221, page 110.
- Title 16, Sec. 10, distribution of personal estate of persons dying intestate. S. B. 224, page 111.
- Title 17, Art. 3, Chap. 1, Secs. 26 and 34 and repealing Sec. 28, relating to registration of electors. S. B. 54, pages 33, 635.
- Title 17, Sec. 55, elections, registration, clerical assistants to make inspector's list. S. B. 419, pages 724, 753, 822, 1354, 1379, 1390.
- Title 17, Sec. 226, electoral meeting and supply of vacancies. H. B. 284, pages 861, 1407, 1797, 1810.
- Title 17, Sec. 272, expenditures of candidates for public or party office. S. B. 324, pages 383, 635, 1120, 1798, 1827, 2257.
- Title 17, Sec. 341, Executive Committees of Political Parties. S. B. 514, pages 1041, 1591, 1779, 2056, 2094, 2258.
- Title 17, Sec. 350, relating to party emblems being printed at top of ballots in primary elections. H. B. 207, pages 857, 1406, 1912, 1940.
- Title 18, Sec. 39, relating to Boards of Trustees of Electric Cooperatives. S. B. 558, pages 1246, 1406, 1791, 2101, 2142, 2260.
- Title 19, Sec. 9, relating to condemnation of property already devoted to public use. S. B. 416, page 724.
- Title 20, Sec. 3, making certain contracts void if not in writing. H. B. 349, pages 987, 1144, 1986, 1995.
- Title 21, Sec. 134, relating to settlement of guardians. H. B. 21, pages 87, 88, 115, 233, 244.
- Title 22, Sec. 14, public health. H. B. 585, pages 1199, 1407.
- Title 22, Sec. 85, food-handling establishments. S. B. 442, pages 835, 875.
- Title 22, Secs. 107 and 110, inoculation of dogs against rabies. H. B. 444, pages 1818, 1819, 1830, 2130, 2152.
- Title 22, Sec. 199, care of tubercular patients. S. B. 166, pages 89, 629, 980, 1265, 1277, 1386, 1389, 1415, 1484, 2256.
- Title 22, Sec. 207, Milk Control Board. S. B. 437, pages 812, 868, 1545, 2100, 2140, 2259.
- Title 22, Sec. 221, Milk Control Board. S. B. 171, pages 90, 119, 283, 963, 971, 1389.
- Title 22, Sec. 255, relating to narcotic drugs and poisons. S. B. 270, pages 219, 314, 736, 1068, 1077, 1389.
- Title 22, Sec. 258, relating to marijuana. S. B. 271, pages 219, 314, 737, 1068, 1077, 1389.
- Title 23, Sec. 3, relating to duties and powers of State Highway Department. S. B. 392, pages 499, 630, 1114, 1331, 2113, 2139, 2259.

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- Title 23, Sec. 117, as amended, part of proceeds of the excise tax on gasoline appropriation to Alabama High Finance Corporation. H. B. 157, pages 2019, 2020, 2030, 2194, 2217.
- Title 25, Sec. 10, municipal authorities interested in housing projects. S. B. 499, pages 1035, 1110, 1162, 2205, 2243, 2261.
- Title 25, Sec. 10, commissions or employees of municipal authorities interested in housing projects. H. B. 883, pages 1367, 1446.
- Title 26, Sec. 25, Divisions of the Department of Industrial Relations. H. B. 537, pages 1137, 1301, 1979, 1993.
- Title 26, Sec. 185 and Title 26, Sec. 204, definition of employer and experience rating. H. B. 536, pages 1138, 1301, 1979, 1987, 1994.
- Title 26, Sec. 191, Unemployment Compensation, definition of wages. H. B. 534, pages 1138, 1139, 1300, 1924, 1934.
- Title 26, Secs. 207, 209 and 214, Unemployment Compensation Benefits. S. B. 390, pages 499, 751, 972, 1798, 1827, 2257.
- Title 26, Sec. 212, Unemployment Compensation Military Service Benefits. H. B. 532, pages 1138, 1139, 1301, 1926, 1934.
- Title 26, Sec. 213, Unemployment Compensation. S. B. 338, pages 435, 480, 858, 1797, 1827, 2257.
- Title 26, Sec. 224, Unemployment Compensation, termination of employer's coverage. H. B. 535, pages 1146, 1301, 1978, 1994.
- Title 26, Sec. 240, Collection of delinquent Unemployment Compensation Taxes. H. B. 531, pages 1138, 1139, 1301, 1929, 1935.
- Title 26, Sec. 251, Penalties for violation of State Unemployment Compensation Law. H. B. 533, pages 1138, 1139, 1301, 1927, 1932, 1935.
- Title 26, Secs. 279, 283, 287 and 289, Workmen's Compensation. S. B. 500, pages 1035, 1110, 1269, 1796, 1827, 2257.
- Title 26, Sec. 293, compensation for medical, surgical and hospital services under the Workmen's Compensation Act. H. B. 56, pages 2019, 2032.
- Title 28, Sec. 306, non-profit corporations for establishment of hospitalization plan. S. B. 370, page 464.
- Title 28, Sec. 306, non-profit corporations for establishment of hospitalization plan. H. B. 516, pages 744, 875, 2105, 2153.
- Title 28, Sec. 325, expenditures from State Insurance Fund. S. B. 175, pages 90, 869, 1333, 2090, 2135, 2258.
- Title 29, Secs. 4, 19, 23, 24, 25 and 36, relating to Alabama Alcoholic Beverage Control Board. S. B. 438, pages 812, 868, 1390, 1391, 1416, 1925, 1932, 2257.
- Title 29, Sec. 68, elections to determine classification of counties as wet or dry counties. S. B. 387, page 499.
- Title 29, Sec. 68, elections to determine classification of counties as wet or dry counties. S. B. 432, pages 810, 875, 913, 1415.
- Title 29, Sec. 210, search warrant may be issued for seizure of prohibited liquors and beverages. H. B. 259, pages 759, 760, 1144, 2211, 2243, 2244.
- Title 30, Sec. 3, persons exempt from jury duty. H. B. 108, pages 744, 754.
- Title 30, Secs. 20 and 21, relative to qualifications of persons on jury rolls. S. B. 52, pages 33, 1406, 1805.
- Title 30, Secs. 54 and 60, mode of striking juries. S. B. 105, page 43.
- Title 32, Sec. 1, relative to number of representatives in House of Representatives. S. B. 55, pages 33, 49, 87, 122, 123, 155.
- Title 32, Sec. 1, relating to the number of representatives in the House of Representatives. S. B. 248, pages 129, 222, 373, 381, 394, 398, 405, 408, 429, 456, 460, 465, 466, 467, 1203.
- Title 32, Secs. 4 and 5, relating to length of legislative sessions. H. B. 70, pages 86, 87, 115, 234, 244.

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- Title 34, Sec. 9, issuance of marriage licenses. S. B. 384, pages 499, 627, 1017.
- Title 34, Sec. 10, relating to marriage licenses for minors. H. B. 178, page 1084.
- Title 34, Sec. 45, relating to sale or partition of land of joint owners or tenants in common. H. B. 55, pages 1798, 1799, 1982.
- Title 34, Secs. 89, 90, 91 and 98, desertion and nonsupport. S. B. 573, pages 1279, 1395.
- Title 36, Sec. 2, relating to persons driving while intoxicated. H. B. 246, page 1671.
- Title 36, Secs. 60 and 61, registration and licensing of drivers. H. B. 274, pages 744, 758, 1462, 1511, 1598, 1624.
- Title 36, Secs. 60 and 69, registration and licensing of drivers. S. B. 298, page 307.
- Title 36, Sec. 63, examination for driver's licenses. H. B. 426, pages 985, 1098, 2131, 2152.
- Title 36, Sec. 64, Temporary Instruction Permit for Driver's Licenses. H. B. 425, pages 981, 1111, 2201, 2219.
- Title 36, Sec. 70, providing penalty for driving while license is revoked. H. B. 427, pages 985, 1144, 2200, 2218.
- Title 36, Sec. 73, providing records to be kept by Director of Public Safety. H. B. 428, pages 985, 1110.
- Title 36, Art. 2, Sec. 75, relating to motor vehicle license tags. S. B. 21, pages 17, 873, 1334, 2221, 2252, 2261.
- Title 36, Sec. 83, motor trucks. S. B. 432, page 749.
- Title 36, Sec. 88, fine and forfeitures for violations of the laws relating to motor vehicles. H. B. 51, pages 482, 627, 1268, 1305.
- Title 36, Sec. 89, enforcement of motor vehicle measurements and load laws. S. B. 306, page 352.
- Title 36, Sec. 92, exemptions and weight restrictions on motor vehicles and trucks transporting perishable foods. H. B. 472, pages 1014, 1110, 2199, 2218.
- Title 37, Sec. 52, authorizing Boards of Trustees of institutions to borrow from federal agencies or others. S. B. 389, pages 499, 635.
- Title 37, Sec. 52, relating to meetings of commissioners of municipal corporations. H. B. 479, pages 2026, 2085, 2194, 2217.
- Title 37, Sec. 93, fixing terms of commissioners of cities. H. B. 973, pages 1428, 1738, 1962, 1983, 1993.
- Title 37, Sec. 334, relating to public improvement revenue bonds, repealing Title 37, Sec. 352. S. B. 251, pages 129, 308, 338, 671, 676, 794.
- Title 37, Sec. 363, relating to waterworks plants and systems. S. B. 645, pages 1579, 1674, 1751, 1941, 1984, 2258.
- Title 37, Sec. 363, relating to waterworks plants and systems. H. B. 1058, pages 1759, 1830, 2129.
- Title 37, Sec. 406, relating to certain officers in cities of less than 6,000. S. B. 152, pages 61, 120, 288, 981, 1026, 1389.
- Title 37, Sec. 428, powers and duties of city councils. H. B. 389, pages 1090, 1447, 1918, 1940.
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- Title 37, Sec. 447, eliminating requirements that all bonds of a city be signed by the treasurer. S. B. 463, pages 909, 1447.
- Title 37, Sec. 476, limiting time on claims against municipalities. S. B. 124, page 45.

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- Title 37, Sec. 504, relating to filing of statements, claims or demands for injury. S. B. 121, pages 45, 120, 288.
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- Title 37, Sec. 732, relating to commission of Tax Assessor and Collector for assessing and collecting municipal taxes. H. B. 554, pages 1944, 2030, 2195, 2217.
- Title 38, Secs. 77 and 84, relating to pay of pilots, Port of Mobile, no discrimination or rebating of fees. S. B. 373, pages 477, 507, 610, 769, 792, 795.
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- Title 41, Sec. 152, salaries of officers and employees of state. H. B. 78, pages 209, 630, 782, 815.
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- Title 45, Sec. 22, arrest of escaped convicts. S. B. 446, page 836.
- Title 45, Sec. 22, arrest of escaped convicts. H. B. 744, pages 1083, 1084, 1100, 1275, 1305.
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- Title 46, Secs. 225 and 226, funds for State Board of Pharmacy. S. B. 198, pages 93, 120, 233.
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- Title 46, Sec. 300, funds of Alabama Real Estate Commission. S. B. 193, pages 93, 117, 489, 2090, 2137, 2259.
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- Title 47, Sec. 19, conveyances of joint tenancy in which the grantor is also a co-grantee. S. B. 326, pages 383, 450, 767, 2232, 2254, 2262.
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- Title 47, Sec. 30, relating to form of acknowledgment of conveyances. S. B. 39, pages 21, 48, 73, 428, 430, 793.
- Title 47, Sec. 55, leases and contracts by state agencies must be in writing. S. B. 433, page 810.
- Title 47, Sec. 55, relating to leases by state agencies. H. B. 728, pages 1267, 1409, 1975, 1983, 1993.
- Title 47, Sec. 131, requiring conditional sales and leases to be recorded. H. B. 297, pages 418, 628, 1018, 1053, 1054.
- Title 48, Art. 4, Sec. 301(36), relating to using identification numbers in licenses of motor and serial numbers. H. B. 187, pages 205, 206, 873, 2118, 2151.
- Title 48, Sec. 302, definitions chapter on public utilities other than transportation companies or motor vehicle carriers. H. B. 494, pages 1128, 1129, 1983, 2191, 2216.
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- Title 51, Sec. 65, Tax Assessor's books. S. B. 513, pages 1041, 1099.
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- Title 51, Sec. 89, requiring Board of Equalization be delivered copy of assessments. H. B. 995, pages 2020, 2086.
- Title 51, Sec. 94, relating to County Board of Equalization. S. B. 472, pages 912, 1098, 1511.
- Title 51, Sec. 94, term of office and compensation of members of county boards of equalization. H. B. 390, pages 1367, 1368, 1583, 1807, 1815, 1820.



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- Title 51, Sec. 189, office hours of Tax Collector. H. B. 891, pages 1426, 1738, 1882, 1914.
- Title 51, Secs. 410 and 412, relating to income taxes. S. B. 23, pages 17, 50, 336, 2056, 2134, 2258.
- Title 51, Sec. 424, income tax collection expenses. S. B. 190, pages 92, 366, 422, 2082, 2136, 2259.
- Title 51, Sec. 437, privilege license taxes on selling or installing air-conditioning plants and equipment. S. B. 303, pages 330, 503, 972, 1012, 1718.
- Title 51, Sec. 441, estate and inheritance tax collection expenses. S. B. 188, pages 92, 366, 421, 2089, 2136, 2259.
- Title 51, Sec. 457, privilege license tax on business of selling or installing air-conditioning plants and equipment. H. B. 573, pages 1014, 1287, 1717, 1753.
- Title 51, Sec. 460, attorney's license. S. B. 133, pages 46, 114, 201, 745, 748, 795.
- Title 51, Sec. 573, as amended, license tax on playing cards. H. B. 186, pages 987, 1099, 2221, 2244.
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- Title 51, Sec. 646, relating to tax on gasoline and other motor fuels. S. B. 311, pages 363, 451, 768, 2090, 2138, 2259.
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- Title 51, Sec. 656, to pay interest and principal of bond issued by S. B. 237, if passed. S. B. 239, pages 113, 223, 488.
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- Title 51, Sec. 658, dealing with excise tax on gasoline and other motor fuels. S. B. 399, pages 614, 753, 1272, 2114, 2139, 2259.
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- Title 51, Sec. 693, license and registration fees on motor vehicles. H. B. 184, pages 983, 1044.
- Title 51, Sec. 693, providing payment of license tax on a declining monthly basis. H. B. 189, pages 205, 206, 450, 767, 815.
- Title 51, Sec. 704, ad valorem taxation on motor vehicles. S. B. 470, page 912.
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- Title 51, Sec. 712, authorizing Judge of Probate in remittance of moneys and certification of lists of motor vehicles. S. B. 474, pages 964, 1286, 1452, 2114, 2140, 2187, 2201, 2242, 2259, 2261.
- Title 51, Sec. 712, providing general revenue and making provisions for the use of vehicle identification numbers in lieu of motor and serial numbers. H. B. 188, pages 205, 206, 873, 2119, 2151.
- Title 51, Sec. 713, distribution of motor vehicle and trailer license tax funds. S. B. 309, pages 363, 451, 822.

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- Title 51, Sec. 713, distribution of motor vehicle and trailer license tax. S. B. 461, pages 867, 1072, 1276.
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- Title 51, Secs. 715 and 717, collection expense of mileage tax on motor vehicles. S. B. 180, pages 91, 366, 414, 2089, 2136, 2259.
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- Title 51, Sec. 759, keeping of records for sales tax. S. B. 383, pages 499, 753, 1272, 2114, 2139, 2259.
- Title 51, Sec. 763, relating to sales tax. S. B. 58, pages 33, 49, 96, 1066, 1077, 1389.
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- Title 51, Sec. 771, relating to suits brought for recovery of sales tax. S. B. 67, pages 35, 50, 96, 1066, 1077, 1389.
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- Title 51, Sec. 776, sales tax. H. B. 724, pages 1368, 1396, 1662, 1698.
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- Title 51, Sec. 784, distribution of revenue from sales tax. S. B. 608, page 1393.
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- Title 51, Sec. 831, business licenses or licenses for any act which requires a license. H. B. 416, pages 1198, 1584, 2006, 2017, 2050.
- Title 51, Sec. 835, license inspectors. S. B. 493, pages 1032, 1396, 1623.
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- Title 51, Sec. 847, authorizing Judge of Probate in remittance of moneys and certification of lists of licenses issued. S. B. 475, pages 964, 1285, 1453, 2114, 2140, 2259.
- Title 51, Sec. 852, as amended, relating to disabled veterans. S. B. 45, pages 32, 116, 239.
- Title 51, Sec. 913, refund on over-payment directly to the State Department of Revenue. S. B. 382, pages 499, 753, 1271, 2114, 2139, 2259.
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- Title 52, Sec. 352, continuing service status of teachers. S. B. 396, pages 598, 1133, 1542, 2115, 2139, 2259.
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- Title 52, Sec. 357, mode of cancelling teachers contracts. S. B. 575, pages 1280, 1405, 1901.
- Title 52, Sec. 357, mode of cancelling teachers contracts. H. B. 965, pages 1671, 1900, 1920.
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- Title 52, Sec. 429, collection cost of excise tax on financial institutions. S. B. 178, pages 91, 366, 411, 2089, 2136, 2259.
- Title 52, Sec. 443, corporate powers of Alabama School of Trades. S. B. 328, pages 407, 504, 1006, 1200, 1203, 1389.
- Title 52, Sec. 567, acquisition of school lands by adverse possession. S. B. 473, pages 964, 1281, 1513.
- Title 52, Sec. 784, collection expenses in collecting the sale tax. S. B. 174, pages 90, 366, 409, 2090, 2135, 2258.
- Title 55, Sec. 8, relating to the state flower. S. B. 469, page 912.
- Title 55, Sec. 81, relating to State Comptroller. S. B. 401, page 615.
- Title 55, Sec. 81, relating to State Comptroller. S. B. 417, 724, 1396.
- Title 55, Sec. 103, Budget Act relating to fees, receipts and encumbrances. S. B. 167, pages 89, 500, 862.
- Title 55, Sec. 115, consent of Finance Department before issuance of securities required. S. B. 119, pages 44, 117, 256, 670, 676, 794.
- Title 55, Sec. 179, abolishing Governor's Contingent Fund. S. B. 492, pages 1032, 1099.
- Title 55, Sec. 200, relating to distribution of the Journals of the Legislature. S. B. 225, pages 111, 227, 326.
- Title 55, Sec. 249, salary of State Geologist. S. B. 231, pages 111, 1044, 1545, 2230, 2253, 2262.
- Title 55, Sec. 268, salary of Director of the Department of Archives and History. S. B. 301, pages 330, 1397.
- Title 55, Sec. 291, care and upkeep of White House of Confederacy. S. B. 343, pages 437, 503, 906, 2230, 2250, 2261.
- Title 55, Sec. 301, relating to merit system. S. B. 140, page 47.
- Title 55, Sec. 305, relating to civil service tests in Personnel Department. S. B. 46, pages 32, 308, 339, 983, 1026, 1389.
- Title 55, Sec. 343, appropriation for State Board of Adjustment. H. B. 273, pages 1568, 1585, 2106, 2153.
- Title 58, Sec. 47, investments of trust funds by fiduciaries. S. B. 518, pages 1042, 1281, 1633, 2123, 2142, 2260.
- Title 60, Sec. 8, pensions for widows of Confederate veterans. S. B. 162, pages 89, 121, 289, 2230, 2249, 2261.
- Title 60, Sec. 29, amounts of pensions for confederate veterans and their widows. S. B. 363, pages 461, 503, 714, 2230, 2254, 2262.

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- Title 61, Sec. 81, order of grant of administration. H. B. 1067, pages 1763, 1896, 1972, 1994.
- Title 61, Sec. 96, bonds of executors and administrators. H. B. 110, pages 508, 1581.
- Title 61, Sec. 301, "Settlement by Consent Without Notice". S. B. 603, pages 1378, 1395, 1632, 2119, 2143, 2260.
- Title 62, Sec. 75, providing coroner's assistant for Mobile County. H. B. 1115, pages 2017, 2019, 2032, 2193, 2218.
- Title 62, Sec. 78, relating to Mobile County Coroner. H. B. 862, pages 1173, 1177, 1297, 1442, 1491.
- Title 62, Secs. 253, 254, 255, 257 and 258, Barber's Commission in counties of 300,000 or more. H. B. 277, pages 876, 1103, 1163, 1209.
- Title 62, Sec. 287, Board of Cosmetological Examiners of Jefferson County. H. B. 621, pages 790, 792, 872, 921, 928.
- Title 62, Sec. 467, funds of Municipal Employees Pension and Relief Fund. S. B. 629, pages 1476, 1588, 1656, 1835, 1909, 2257.
- Title 62, Sec. 476, benefits for retirement caused by disability. S. B. 631, pages 1478, 1588, 1656, 1835, 1909, 2257.
- Title 62, Sec. 477, 20-year retirement for purpose of Municipal Employees Pension and Relief Fund. S. B. 630, pages 1477, 1588, 1656, 1835, 1909, 2257.
- Title 62, Sec. 478, retirement after 25 years service. S. B. 632, pages 1479, 1588, 1657, 1835, 1909, 2257.
- Title 62, Sec. 546, Firemen's Pension and Relief Fund. S. B. 661, pages 1640, 1742, 1868, 2055, 2095, 2166, 2258.
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- Title 2, Sec. 62, relating to commercial feed shipments. S. B. 13, pages 16, 52, 100.
- Title 2, Sec. 62, shippers of commercial feeds. H. B. 73, pages 203, 204, 313, 356, 362.
- Title 2, Sec. 292, shipments of fertilizer. S. B. 12, pages 16, 52, 99.
- Title 2, Sec. 292, shippers of fertilizers and materials to notify Commissioner of Agriculture. H. B. 75, pages 203, 204, 312, 356, 362.
- Title 7, Secs. 663, 688, 690 and 702, relating to homestead exemptions. S. B. 108, pages 43, 627, 1077, 2176, 2249, 2261.
- Title 7, Chap. 20, Art. 2, Secs. 1128 and 1130, relating to proceedings to establish title. S. B. 84, pages 37, 114, 207, 2207, 2252, 2262.
- Title 8, Secs. 69 and 75, providing protection for fish. S. B. 425, pages 750, 1408, 1823, 2231, 2250, 2261.
- Title 8, Secs. 70, 71, 72, 73, 74, 75 and 77, regulations pertaining to fishing nets, seines, etc. H. B. 411, page 1959.
- Title 10, Sec. 36, relating to corporations. S. B. 128, pages 46, 117, 240, 981, 1026, 1389.
- Title 12, Sec. 12, relating to Civil Service Systems in counties of 200,000 or more. H. B. 793, pages 1123, 1129, 1292, 1436, 1489.
- Title 14, Sec. 20, relating to dueling oath. H. B. 18, pages 86, 87, 115, 232, 244.
- Title 14, Sec. 59, making it a misdemeanor to attempt or threat to injure or destroy property of another. H. B. 102, pages 105, 116, 315, 328.
- Title 16, Sec. 12, relating to husband's share of wife's estate upon her intestacy. S. B. 223, page 110.
- Title 17, Art. 3, Chap. 1, relating to registration of electors. S. B. 54, pages 33, 635.
- Title 18, Secs. 21 and 58, relating to hearings before the Department of Finance. S. B. 250, page 129.

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- Title 23, Secs. 67, 68, 69, 71, 72 and 73, relating to road duty. H. B. 340, pages 861, 1110.
- Title 25, Secs. 13 and 39, relating to hearings before the Department of Finance. S. B. 252, pages 129, 308, 338, 671, 676, 794.
- Title 37, Sec. 352, public improvement revenue bonds, amending Title 37, Sec. 334. S. B. 251, pages 129, 308, 338, 671, 676, 794.
- Title 37, Secs. 394-402, utilities combined with public corporations in municipalities. S. B. 280, pages 220, 314, 359, 618, 619, 742, 794.
- Title 38, Secs. 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 14, 15 and 16. abolishing Department of State Docks and Terminals and creating State Docks Board. S. B. 90, pages 38, 51, 57, 223, 278, 670, 675, 794.
- Title 49, Chap. 3, creating Alabama Pension Board. S. B. 333, page 430.
- Title 51, Sec. 758, making returns for payment of sales tax. S. B. 29, pages 19, 116, 239, 856, 865, 1388.
- Title 52, Sec. 18, committee on courses of study, amending Title 52, Secs. 404 and 405. S. B. 163, pages 89, 312, 355, 399, 418, 428.
- Title 52, Secs. 18 and 405, committee on courses of study. S. B. 114, page 44.
- Title 52, Secs. 19 and 409-431 and Secs. 432 and 433, as amended, providing for adoption of state-owned textbooks. S. B. 62, page 34.
- Title 55, Secs. 151-154, abolishing Division of Local Finance in Department of Finance. S. B. 277, pages 220, 309, 344, 671, 676, 794.
- Title 55, Secs. 151-155, abolishing Division of Local Finance in Department of Finance. S. B. 253, page 129.
- Title 55, Sec. 179, abolishing Governor's Contingent Fund. H. B. 809, pages 1445, 1482, 1663, 1698.
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- Title 7, Art. 2, Chap. 20, relating to proceedings to establish title. S. B. 84, pages 37, 114, 207, 2207, 2252, 2262.

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- Constitutional Amendment relating to—. S. B. 680, pages 1736, 1893, 1964, 2174, 2215, 2261.
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- Constitutional Amendment, repealing Act 27, Fifth Special Session 1950. H. B. 668, pages 1116, 1119, 1538, 1643, 1669.
- Constitutional Amendment prohibiting repeal of Act 485, 1949, fixing sales and use tax. H. B. 758, pages 1368, 1375, 1589, 1664.
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- Relating to Colbert County. H. B. 1022, pages 1718, 1721.
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- Special Property Tax for school purposes in Fayette County. H. B. 1060, pages 1774, 1775, 1895, 1968, 1981.
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- In which the grantor is also a co-grantee, amending Title 47, Sec. 19. S. B. 326, pages 383, 450, 767, 2232, 2254, 2262.
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- Arresting of escaped convicts, amending Title 45, Sec. 22. H. B. 744, pages 1083, 1084, 1100, 1275, 1305.

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- Compensation of coroner in counties of 64,000-79,000. S. B. 556, 1207, 1290, 1430, 1608, 1637, 2256.
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- Authorizing county to pay local bills, municipalities to pay county for bills affecting municipalities. S. B. 98, pages 42, 119, 315, 982, 1026, 1389.
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- Providing additional deputy for counties of 28,000-42,000 with two courthouses. S. B. 317, pages 364, 453, 762, 884, 913, 1388.
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- Authorizing counties to lend road machinery and equipment under certain conditions. S. B. 402, page 615.
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- Fixing salaries of officers in counties of 80,000-94,000. S. B. 466, pages 909, 1100, 1159, 1327, 1341, 1389.
- Relating to County Boards of Equalization, amending Title 51, Sec. 94. S. B. 472, pages 912, 1098, 1511.
- Providing additional duties and compensation for judges and constables of courts in counties of 80,000-94,000. S. B. 527, pages 1092, 1288, 1422.
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- Additional compensation for county officers in counties of 93,900-137,000. S. B. 652, pages 1580, 1741, 1860, 2055, 2094, 2258.
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- Relating to governing bodies in counties of 400,000 or more. S. B. 666, pages 1640, 1742, 1865, 2054, 2095, 2258.
- Authorizing governing bodies in counties of 13,500-15,000 to designate state and national banks as county depository. S. B. 670, pages 1673, 1742, 1866, 2056, 2095, 2258.
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- Relating to development boards in counties of 74,000-93,000. S. B. 681, pages 1737, 1894, 1966.
- Authorizing governing bodies of counties of 16,600-17,900 to insure county-owned vehicles. S. B. 682, pages 1789, 1895, 1962.
- Providing additional duties for chairman and members of county governing bodies. H. B. 19, pages 666, 1409.
- Allowing counties of 400,000 or more a monetary allowance of not more than \$50 a month for use of automobiles. H. B. 154, pages 147, 148, 226, 246, 277.
- Authorizing two additional deputies sheriff in counties of 28,000-35,000. H. B. 302, pages 271, 276, 634, 985, 1009, 1045.
- Relating to the chairman of Boards of Registrars in counties of 94,100-138,000. H. B. 324, pages 395, 396.
- Relieving certain county officials from visiting voting places in counties of 80,000-94,000. H. B. 338, pages 377, 755, 842, 856.
- Fixing terms of office and compensation of members of Boards of Equalization, amending Title 51, Sec. 94. H. B. 390, pages 1367, 1368, 1583, 1807, 1815, 1820.
- Dismissal of appeals by County Court of Appeals to County Court from Inferior Courts in counties over 400,000. H. B. 399, pages 385, 386, 453, 471, 486.
- Authorizing sheriff or his Chief Deputy in counties of 400,000 or over to release prisoners charged with misdemeanors. H. B. 400, pages 385, 386, 452, 469, 486.
- Providing additional duties and compensation to solicitors in counties of 18,650-19,150, repealing Act 493, 1949. H. B. 409, pages 395, 396, 504, 610, 636.
- Regulating appeals by and in behalf of counties over 400,000. H. B. 410, pages 385, 386, 453, 470, 486.
- Providing a clerk for the tax collector and assessor in counties of 29,350-30,350. H. B. 509, pages 561, 756, 838, 847.
- Fixing salary of superintendent of education in counties of 45,075-46,550. H. B. 630, pages 783, 792, 1294, 1418, 1439, 1491.
- Authorizing Boards of Revenue to appoint treasurers in counties of 50,000-60,000. H. B. 705, pages 957, 958, 1298, 1494, 1510, 1515.
- Relating to benefits for employees disabled or killed in performance of their duties in counties of 100,000-200,000. H. B. 741, pages 961, 962, 1105, 1160, 1200, 1213.
- Authorizing traveling expenses for sheriff and one deputy in counties of less than 20,000. H. B. 788, pages 1122, 1129.
- Relating to Civil Service Systems in counties of 200,000 or more, repealing Title 12, Sec. 12. H. B. 793, pages 1123, 1129, 1292, 1436, 1489.
- Relating to personnel system in counties of 100,000-140,000 and municipalities in such counties of 5,000 or more, amending Act 528, 1949, Sec. 3. H. B. 950, pages 1364, 1367, 1936, 2189, 2198, 2219.
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- Relating to premiums on bonds of certain county employees in counties of 93,000-137,000. H. B. 1053, pages 1682, 1691, 1747, 1878, 1918.
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